

**DIRECTORS' MEETING  
MONDAY, APRIL 11, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - RE: Wireless Internet Access Now Offered At County-City Building-(See Release)
2. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at ~~10:00 a.m.~~ Thursday, April 7<sup>th</sup> at the StarTran maintenance facility at 8<sup>th</sup> & "J" Streets-will present awards to the winners of the StarTran public transportation coloring contest, and discuss the facts on the storm sewer bond issue, which is on the general election ballot May 3<sup>rd</sup> -(See Advisory)
3. NEWS RELEASE - RE: City Council Candidate Debate Set For April 11- Debate to air on 5 City-TV -(See Release)
4. NEWS ADVISORY - RE: REVISED: NOTE TIME CHANGE - Mayor Seng will have a news conference at **9:30 a.m.** Thursday, April 7<sup>th</sup> — (SEE ADVISORY)

**II. DIRECTORS**

**FINANCE**

1. E-Mail from Don Herz - RE: Keno update - (See E-Mail)

**HEALTH**

1. NEWS RELEASE - RE: What's In Your Garage? - First Household Hazardous Waste Collection Scheduled For April 16, 2005 -(See Release)

**PLANNING**

1. Annexation by Ordinance - 19.4 Acres - Ordinance No. 18506 - Effective: March 15, 2005.

2. Letter & Material from Jean Walker to Property Owners and Interested Parties: - RE: Comprehensive Plan Amendment #05012; Annexation #05005; and Change of Zone #05020- N. 84<sup>th</sup> Street & Adams Street - (See Material)
3. Letter from Brian Will to Kent Braasch, Essex Corp. - RE: The Preserve on Antelope Creek 9<sup>th</sup> Addition-Final Plat #04113-Generally located at South 80<sup>th</sup> Street and Pioneers Blvd. -(See Letter)
4. Letter from Tom Cajka to Lyle Loth, ESP - RE: Aspen Ridge 3<sup>rd</sup> Addition Final Plat #04104-Generally located at S.W. 27<sup>th</sup> Street and West "A" Street-(See Letter)
5. Response E-Mail from Ray Hill to Patte Newman - RE: The Links PUD @ 1<sup>st</sup> & Fletcher -water wells -(See E-Mail)

#### **PLANNING COMMISSION FINAL ACTION .....**

1. Special Permit No. 05011, Vintage Hills Community Unit Plan (Southeast of S. 84<sup>th</sup> Street and Old Cheney Road) Resolution No. PC-00916.
2. Special Permit No. 05012 (On-sale alcohol-2801 Pine Lake Road) Resolution No. PC-00915.
3. Special Permit No. 05013 (Dance studio-northeast of S. 56<sup>th</sup> Street and Thompson Creek Blvd.) Resolution No. PC-00917.
4. Special Permit No. 05014 (On-sale alcohol-2300 Judson Street) Resolution No. PC-00918.

#### **PUBLIC WORKS & UTILITIES**

1. Public Works & Utilities ADVISORY - RE: Pine Lake Road Widening Project 700014 - 40<sup>th</sup> to 61<sup>st</sup> Streets - 56<sup>th</sup> Street Shadow Pines to Thompson Creek Blvd. - April 4<sup>th</sup>, 2005 - (See Advisory)

#### **WOMEN'S COMMISSION**

1. NEWS RELEASE - RE: NACW Participation-Bonnie Coffey Represents Lincoln and Lancaster County At National Board Meeting- (See Release)

2. NEWS RELEASE - RE: City Council and School Board Candidates= Forum Held At Malone Center - (See Release)

### III. CITY CLERK

### IV. COUNCIL

#### A. COUNCIL REQUESTS/CORRESPONDENCE

##### GLENN FRIENDT

1. OUTSTANDING Request to ~~Marc Wullschleger, Urban Development Director~~ / **Lynn Johnson, Parks & Recreation Director** - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.**

##### PATTE NEWMAN

1. OUTSTANDING Request to ~~Marc Wullschleger, Urban Development/~~ **Lynn Johnson, Parks & Recreation/Ann Harrell, Public Works** - RE: Requesting information about the proposed bike/ped bridge over North 27<sup>th</sup> Street - (RFI#32-3/15/05). — **1.) SEE RESPONSE FROM WYNN HJERMSTAD, URBAN DEVELOPMENT DEPARTMENT RECEIVED ON RFI#32-3/23/05.**
2. Request to Steve Hubka, Budget/ ~~Don Herz, Finance~~ - RE: What outstanding bonds is the City of Lincoln currently paying off? -(RFI#33-3/21/05). — **1.) SEE RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#33-04/05/05.**
3. Additions to Requests For Information #30 from Patte Newman & #164 from Annette McRoy to Don Taute, Personnel Director - RE: "M" class employees - (PNRFI#30A & AMRFI#164A - 4/06/05)
4. Additions to Request For Information #32 to Marc Wullschleger, Urban Development - RE: North 27<sup>th</sup> Bridge - (RFI#32A-4/06/05)

## **ANNETTE McROY**

1. Additions to Requests For Information #30 from Patte Newman & #164 from Annette McRoy to Don Taute, Personnel Director - RE: "M" class employees - (PNRFI#30A & AMRFI#164A - 4/06/05)

## **V. MISCELLANEOUS**

1. Letters from Mike Marsh, Realty Trust Group - RE: Change of Zone #05004-84th & Old Cheney - 6 acres - (See Letters)
2. Letter & Map from Hub Hall, President, Hall Real Estate, Inc. - RE: Change of Zone #05006 - (See Material)
3. E-Mail from Dee & Doc Mullet - RE: NO to Links!!! - Request that you deny the proposed project, "The Links at Lincoln" as totally unnecessary - (See E-Mail)
4. Letter from Gerise Herndon, Member, UPCO Board of Directors - RE: Supports UPCO's change of zoning application #05021 -(See Letter)
5. Letter Shirley Honnor - RE: The Lake Street Senior Center -(See Letter)
6. E-Mail from Carol Brown - RE: Wal-Mart at 27<sup>th</sup> & Superior -(See E-Mail)
7. E-Mail from Ginny Wright - RE: JoeCherner-announce] Restaurants, bars gain business under smokefree law -(See E-Mail)

## **VI. ADJOURNMENT**



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## FINANCE DEPARTMENT

Information Services, 233 South 10th Street, Lincoln, NE 68508, 441-7471, fax 441-6189

**FOR IMMEDIATE RELEASE:** April 4, 2005

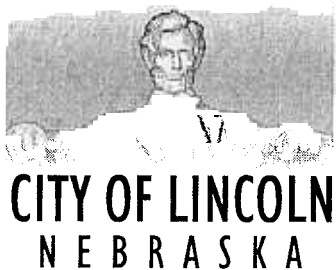
**FOR MORE INFORMATION:** Doug Thomas, Information Services Manager, 441-7823

### **WIRELESS INTERNET ACCESS NOW OFFERED** **AT COUNTY-CITY BUILDING**

The County-City Building, 555 South 10th Street, is now equipped with free wireless connectivity to the Internet. The public is able to access the Internet with personal laptop computers at most locations on the first floor, including the chamber where the City Council, County Board and Planning Commission meet.

“Citizens who attend meetings in the chamber are able to access the City Web site to follow the proceedings and see exhibits being discussed,” said Doug Thomas, Manager of the City’s Information Services Division. “Visitors to the building also can access their remote e-mail and see other Web sites while they are in the building.” Access also is available in conference rooms 113 and 106, the café area and the corridors.

The system supports two generally accepted wireless protocols (802.11b and 802.11g). For instructions on how to use this service, see the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: wireless).



# NEWS ADVISORY

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

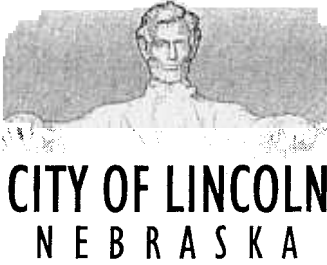
## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**DATE:** April 6, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, April 7** at the **StarTran maintenance facility at 8th and "J" streets**. She will present awards to the winners of the StarTran public transportation coloring contest, and she will discuss the facts on the storm sewer bond issue, which is on the general election ballot May 3.



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

Citizen Information Center, 555 South 10th Street, Lincoln, NE 68508, 441-7375, fax 441-8653

**FOR IMMEDIATE RELEASE:** April 6, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Sharon Nemeth, League of Women Voters, 472-2333, 489-3571

## **CITY COUNCIL CANDIDATE DEBATE SET FOR APRIL 11**

*Debate to air on 5 CITY-TV*

The public is invited to a debate among City Council candidates from 7:30 p.m. to 9 p.m. Monday, April 11 at Saint Paul United Methodist Church, 1144 "M" Street. Debate participants will be the six City Council candidates who advanced to the May 3 general election from the April 5 primary: Ken Svoboda, Terry Werner, Robin Eschliman, Dan Marvin, Mark Koller and Shawn Traudt. Three City Council seats are open. The government access cable channel, 5 CITY-TV, will tape the debate for airing until May 3.

Candidates for the Lincoln Public Schools Board and the Lincoln Airport Authority will not debate, but have been invited to meet voters beginning at 6:30 p.m. at the same site.

Sponsors of the debate are the League of Women Voters of Lincoln-Lancaster County; Saint Paul United Methodist Church; the Lincoln-Lancaster Women's Commission; Aging Services/Lincoln Area Agency on Aging; the North 27th Business and Civic Association; and the NAACP.

Each candidate will make a one minute opening statement. They will have two minutes each to answer a minimum of four questions, with 30 seconds to rebut the answers of others. The debate will end with two-minute closing statements. Questions have been solicited from within the sponsoring organizations and from the public. The sponsors will make the final decision on questions used.

The moderator will be Peggy Briggs, a host for Aging Services' "Live and Learn" program on 5 CITY-TV. Jan Gauger from the North 27th Business and Civic Association will be the timer.

The debate will take place in the west portion of the church's Family Life Center on the main floor. Free parking is available in the church garage (enter on 11th Street) and on the street. Parking also is available for \$1 per car in the lot across 11th Street from the church (enter on "N" Street). If entering the church through the west doors, take the elevator up to the main floor ("M" button). The Family Life Center is across the hall and to the left. If entering the church through the south door, take the stairs up to the main floor and walk away from the sanctuary. The Family Life Center is on the right.

more -

**Debate**  
**April 6, 2005**  
**Page Two**

Audience members are asked to not wear or otherwise display items indicating support of specific candidates while in the debate area. Candidates will have campaign materials available for display and distribution in the east side of the Family Life Center.

The League of Women Voters of Lincoln-Lancaster County Education Fund is providing funding for the taping by 5 CITY-TV. For a schedule of air times, see the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov). The debate also will be available through video-on-demand through the Web site.





# NEWS ADVISORY

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

### **REVISED: NOTE TIME CHANGE**

**DATE:** April 6, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **9:30 a.m. Thursday, April 7** at the **StarTran maintenance facility at 8th and "J" streets**. She will present awards to the winners of the StarTran public transportation coloring contest, and she will discuss the facts on the storm sewer bond issue, which is on the general election ballot May 3.

**Donald R Herz**

04/04/05 04:10 PM

To: CouncilPacket/Notes@Notes  
cc: Darrell Podany/Notes@Notes  
Subject: Keno update

We have placed a comparison of Keno wagering for 2004 and 2005 on the Finance Department web site. This will be updated monthly. The web location is as follows:

<http://www.lincoln.ne.gov/city/finance/account/index.htm>

This takes you to the Accounting Division page. From there, you will see the link to the Keno analysis.

Please note that this represents total gross wagering by month and year-to-date.

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Don Herz  
Finance Director  
City of Lincoln

Phone: 402-441-7411  
Fax: 402-441-8325  
E-mail: [dherz@ci.lincoln.ne.us](mailto:dherz@ci.lincoln.ne.us)  
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# NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
3140 N Street, Lincoln NE 68510 • Phone: 441-8000  
Fax: 441-8323 or 441-6229

**FOR IMMEDIATE RELEASE:** April 4, 2005  
**FOR MORE INFORMATION:** Beth Mann, Household Hazardous Waste Coordinator  
441-6235

## WHAT'S IN YOUR GARAGE?

### **FIRST HOUSEHOLD HAZARDOUS WASTE COLLECTION** **SCHEDULED FOR APRIL 16, 2005**

Some common items that are inside your garage may be dangerous to small children and pets if not handled, stored, or discarded correctly. To help residents dispose of household hazardous wastes, the Lincoln-Lancaster County Health Department (LLCHD) has scheduled the first of seven Household Hazardous Waste Collections on Saturday, April 16<sup>th</sup>, from 9:00 AM to 1:00PM at State Fair Park, 4-H Youth Complex. The seven events are scheduled through October 22<sup>nd</sup> at several different locations. The collections are for residents for Lincoln and Lancaster County and for households only; not for businesses.

Many automotive products stored in garages contain hazardous chemicals that pose risks to children and pets, said Beth Mann, Household Hazardous Waste Coordinator. These products include upholstery cleaners, window cleaning products, brake fluids, carburetor cleaners, power steering fluid, Freon, cleaning and degreasing solvents, transmission fluids, wax and grease removers, spray paints, mixed or old gasoline, and mercury switches.

Items accepted at the collection include solvents such as mineral spirits, turpentine, paint thinners, varnishes, stains, polishes and waxes, pool cleaning chemicals, muriatic acid, oil-based paints, roach powder, flea and tick powders, rat poisons, charcoal starter fluids, old gasoline,

-more-

mercury containing items including thermometers, and items containing PCBs such as ballasts from old fluorescent lamps and small capacitors from old appliances .

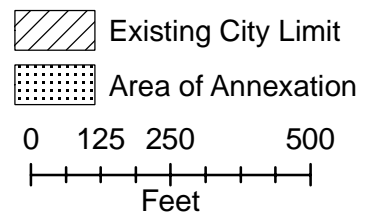
**Latex paint should not** be brought to these collections. Small amounts of latex paint can be dried and put in the trash. Items that can be recycled locally and will not be accepted include motor oil, antifreeze, gas grill propane cylinders, mercury thermostats, and batteries including lead acid, button, mercury and lithium. For recycling information and for advice on how to dispose of other items that are not accepted such as medicines, fertilizers, explosives, or ammunition contact the Lincoln-Lancaster County Health Department at 441-8021 or visit our website at <http://www.ci.lincoln.ne.us/city/health/envIRON/poll/>.

Dates and times of collections for household hazardous waste in 2005 are scheduled as follows:

|                     |   |                    |
|---------------------|---|--------------------|
| Saturday, April 16: | State Fair Park, 4-H Youth Complex                                    | <b>9 AM - 1 PM</b> |
| Saturday, May 21:   | Pfizer Inc, 601 W Cornhusker Hwy<br>Includes the Latex Paint Exchange | <b>9 AM - 1 PM</b> |
| Friday, June 24     | Union College, 52 <sup>nd</sup> and Copper                            | <b>3 PM - 7 PM</b> |
| Saturday, June 25   | Neb. Wesleyan University, 56 <sup>th</sup> & Huntington               | <b>9 AM - 1 PM</b> |
| Friday, Sept 23     | Shepard of the Hills, 6901 Panama Road, Hickman                       | <b>3 PM - 7 PM</b> |
| Saturday, Sept 24   | Goodyear Tire and Rubber, 4021 N 56 <sup>th</sup> Street.             | <b>9 AM - 1 PM</b> |
| Saturday, Oct 22    | State Fair Park, 4-H Youth Complex                                    | <b>9 AM - 1 PM</b> |



Annexation by Ordinance  
 19.4 Acres  
 Ordinance No. 18506  
 Effective: March 15, 2005





## CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County  
Planning Department  
555 South 10th Street  
Suite 213  
Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

April 1, 2005

**RE: COMPREHENSIVE PLAN AMENDMENT  
NO. 05012, ANNEXATION NO. 05005 and  
CHANGE OF ZONE NO. 05020  
N. 84<sup>th</sup> Street & Adams Street**

Dear Property Owners and Interested Parties:

Pursuant to Section 27.81.050(c) of the Lincoln Municipal Code (**Notice of Public Hearings**), you are hereby advised that the City of Lincoln has received applications for:

**COMPREHENSIVE PLAN AMENDMENT NO. 05012**, to amend the 2025 Lincoln/ Lancaster County Comprehensive Plan to change the land use designation from residential to commercial and change the commercial center designation from Neighborhood Center to Community Center on land generally located at North 84<sup>th</sup> and Adams Street, and a change from commercial to urban residential northeast of 84<sup>th</sup> Street and Leighton Avenue. The Planning Commission action is a recommendation to the City Council and County Board.

**ANNEXATION NO. 05005**, to annex approximately 231 acres, legally described as a portion of Lots 7, 23, and 34 I.T., and Lots 28, 29, 35, and 36 I.T., located in the SW 1/4 of Section 11-10-7, Lancaster County, Nebraska, generally located northeast of N. 84<sup>th</sup> Street and Adams Street. The Planning Commission action is a recommendation to the City Council.

**CHANGE OF ZONE NO. 05020, Prairie Village North Planned Unit Development**, for a change of zone from AG Agricultural District to R-3 Residential District, R-5 Residential District, B-2 Planned Neighborhood Business District, and O-3 Office Park District, on property legally described as a portion of Lots 7, 23, and 34 I.T., and Lots 28, 29, 35, and 36 I.T., located in the SW 1/4 of Section 11-10-7, Lancaster County, Nebraska, generally located at N. 84<sup>th</sup> Street and Adams Street; for a Planned Unit Development District designation of said property; and for approval of a development plan which proposes a waiver of the required preliminary plat process and modifications to the Zoning Ordinance and Land Subdivision Ordinance to develop approximately 800,000 sq. ft. of commercial floor area and approximately 1,090 dwelling units. The Planning Commission action is a recommendation to the City Council.

A copy of the applicant's submittal letter is attached for your information. The proposal for Change of Zone No. 05005 and Use Permit No. 05001 for a Wal-Mart center at the southeast corner of 84<sup>th</sup> and Adams Streets has not been withdrawn but the public hearing has been deferred at the request of the applicant. Therefore, the two options set forth in the applicant's submittal letter for the Prairie Village North Planned Unit Development are being submitted to the Planning Commission for public hearing and action.

The public hearing on Option A and Option B for the Prairie Village North Planned Unit Development will be held before the Lincoln City/Lancaster County Planning Commission on **Wednesday, April 13, 2005**. The public hearing is your opportunity to appear and speak upon the merits of these applications. The Planning Commission meeting commences at 1:00 p.m.; however, these applications will be scheduled as the last regular public hearing on the agenda and it is anticipated that this hearing will not be called before 3:00 p.m. The meeting is held in the City Council Hearing Room on the first floor of the County-City Building, 555 South 10th Street, Lincoln, Nebraska. The public hearing procedures are attached.

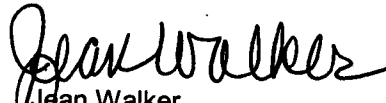


If you would like additional information, you are encouraged to contact the applicant, Jason Thiellen, Engineering Design Consultants, at 438-4014; or the project planner in the Planning Department, Becky Horner, at 441-6373. You may also wish to appear at the public hearing or submit your comments prior to the public hearing in writing to the Planning Commission at the Planning Department address, by email to [plan@lincoln.ne.gov](mailto:plan@lincoln.ne.gov), or by fax to 402-441-6377. The Planning Department staff report and recommendation will be available in the Planning Department office on Thursday, April 7, 2005, after 3:00 p.m.

The "Planning Commission Agenda", including the staff report on these applications, will also be available on Internet at that time: [lincoln.ne.gov](http://lincoln.ne.gov) Keyword = pcagenda>.

A copy of this letter is being sent as a courtesy to those individuals who have submitted comments regarding the Wal-Mart proposal at the southeast corner of 84<sup>th</sup> & Adams Street.

Sincerely,

  
Jean Walker  
Administrative Officer

cc: Jason Thiellen, Engineering Design Consultants  
Prairie Homes  
Peter Katt, Attorney  
Regent Heights Homeowners Association  
Planning Commission

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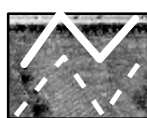
2002 aerial

## Annexation #05005 N. 84th & Adams

### Zoning:

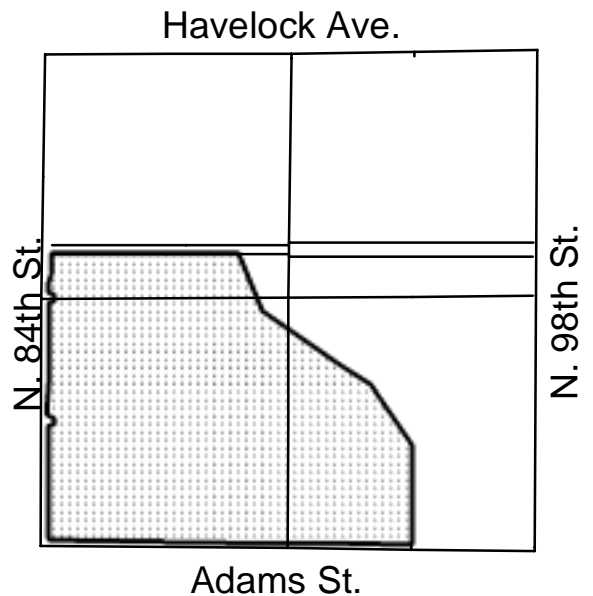
|            |  |
|------------|--|
| R-1 to R-8 | Residential District                   |
| AG         | Agricultural District                  |
| AGR        | Agricultural Residential District      |
| R-C        | Residential Conservation District      |
| O-1        | Office District                        |
| O-2        | Suburban Office District               |
| O-3        | Office Park District                   |
| R-T        | Residential Transition District        |
| B-1        | Local Business District                |
| B-2        | Planned Neighborhood Business District |
| B-3        | Commercial District                    |
| B-4        | Lincoln Center Business District       |
| B-5        | Planned Regional Business District     |
| H-1        | Interstate Commercial District         |
| H-2        | Highway Business District              |
| H-3        | Highway Commercial District            |
| H-4        | General Commercial District            |
| I-1        | Industrial District                    |
| I-2        | Industrial Park District               |
| I-3        | Employment Center District             |
| P          | Public Use District                    |

One Square Mile  
Sec. 11 T10N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction







2002 aerial

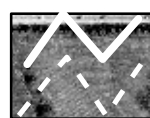
# **Change of Zone #05020** **Prairie Village North PUD** **N. 84th & Adams**

## **Option A**

### **Zoning:**

|            |  |
|------------|--|
| R-1 to R-8 | Residential District                   |
| AG         | Agricultural District                  |
| AGR        | Agricultural Residential District      |
| R-C        | Residential Conservation District      |
| O-1        | Office District                        |
| O-2        | Suburban Office District               |
| O-3        | Office Park District                   |
| R-T        | Residential Transition District        |
| B-1        | Local Business District                |
| B-2        | Planned Neighborhood Business District |
| B-3        | Commercial District                    |
| B-4        | Lincoln Center Business District       |
| B-5        | Planned Regional Business District     |
| H-1        | Interstate Commercial District         |
| H-2        | Highway Business District              |
| H-3        | Highway Commercial District            |
| H-4        | General Commercial District            |
| I-1        | Industrial District                    |
| I-2        | Industrial Park District               |
| I-3        | Employment Center District             |
| P          | Public Use District                    |

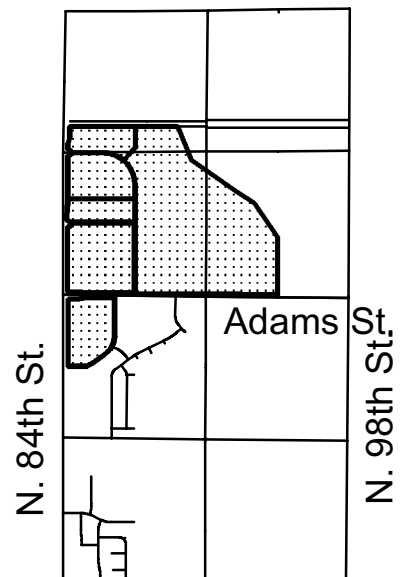
Two Square Miles  
 Sec. 11 T10N R7E  
 Sec. 14 T10N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction

Havelock Ave.







2002 aerial

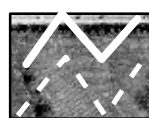
# **Change of Zone #05020** **Prairie Village North PUD** **N. 84th & Adams**

## **Option B**

### **Zoning:**

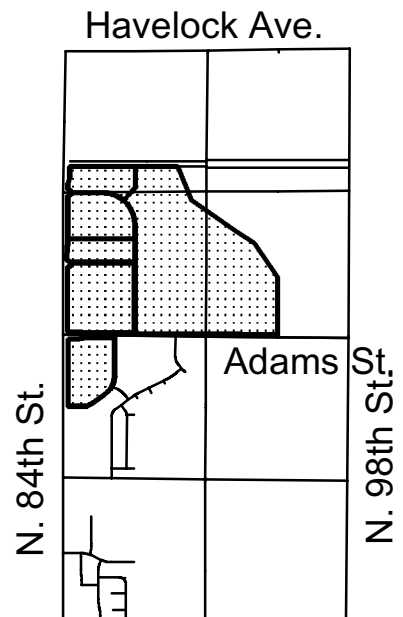
|            |  |
|------------|--|
| R-1 to R-8 | Residential District                   |
| AG         | Agricultural District                  |
| AGR        | Agricultural Residential District      |
| R-C        | Residential Conservation District      |
| O-1        | Office District                        |
| O-2        | Suburban Office District               |
| O-3        | Office Park District                   |
| R-T        | Residential Transition District        |
| B-1        | Local Business District                |
| B-2        | Planned Neighborhood Business District |
| B-3        | Commercial District                    |
| B-4        | Lincoln Center Business District       |
| B-5        | Planned Regional Business District     |
| H-1        | Interstate Commercial District         |
| H-2        | Highway Business District              |
| H-3        | Highway Commercial District            |
| H-4        | General Commercial District            |
| I-1        | Industrial District                    |
| I-2        | Industrial Park District               |
| I-3        | Employment Center District             |
| P          | Public Use District                    |

Two Square Miles  
 Sec. 11 T10N R7E  
 Sec. 14 T10N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



## PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION

Public hearings are held every other Wednesday. An item scheduled for public hearing will be voted upon immediately following the close of the public hearing, unless a majority of the Commissioners present vote to defer action or to continue the public hearing.

**Consent Agenda:** The Planning Director prepares a Consent Agenda comprised of those applications upon which there is consent as to the request and the recommendation. These are listed as the first items on the agenda. A Consent Agenda item will not have a separate public hearing unless someone requests to speak on the item. The Consent Agenda may be voted upon in total at the same meeting, or, any item on the Consent Agenda will be removed by the Chairperson if there is a request by the public or staff to speak on the matter, or at the request of a Commission member. Items removed from the Consent Agenda will be placed as the second item on the agenda and scheduled for a separate public hearing and will be voted upon immediately following the close of the public hearing, unless a majority of the Commissioners present vote to defer action or to continue the public hearing.

**Nature of Testimony:** The role and function of the Planning Commission is to advise the legislative and administrative branches of government concerning planning matters. Testimony before the Commission should therefore concern the planning aspects of the matter being heard. A written statement supporting or opposing an agenda item may be submitted to the Commission as a part of the public hearing in order to be included as a part of the public hearing minutes.

The Commission may ask questions of persons testifying. There will, however, be no cross-examination or direct questioning in front of the Commission between proponents and opponents. All questions and testimony must be directed through the Chair.

Material and testimony submitted should be as factual as possible.

**Presentation of Testimony:** Applicants will be requested to present their testimony first. The applicants, or their representatives shall first state their names and addresses and, if the party appearing is not the applicant, the nature of the representative's capacity. The applicant should state:

1. Why the applicant desires the action requested.
2. Why the application is in accordance with sound planning practices.

Following the applicant's testimony, other persons wishing to speak on that particular agenda item will be called upon to present testimony in the following order: (1) proponents of the application, (2) opponents of (or those seeking information about) the application, and (3) rebuttal by the applicant. Each person should first state their name and address, and then present the reasons why they feel the application is not in accordance with sound planning practices.

The applicant will be entitled to a brief rebuttal after the opponents' testimony is concluded.

Five (5) minutes for testimony is preferred as a maximum; however, no more than 30 minutes should be taken by either proponents or opponents. The Chairperson may grant additional time in advance of the meeting for items of major significance. The Commission may also grant or deny requests for more time.

Large groups in attendance concerned with an application should choose one or two spokespersons to present the group's testimony. The spokesperson may have the group stand to give the Commission an idea of the number of persons sharing similar viewpoints. Remember, however, that the Commission is interested in factual information.

Individuals speaking for themselves and also groups' spokespersons should not present testimony previously given. The Chairperson of the Commission shall reserve the right to discontinue at any time repetitious or irrelevant testimony.

If you have any questions about the public hearing procedures, please contact Jean Walker, Administrative Officer, in the Planning Department (441-6365) or by e-mail [plan@lincoln.ne.gov](mailto:plan@lincoln.ne.gov)



Engineering Design Consultants

March 2, 2005

2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

Rebecca Horner  
Planning Department  
City-County Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Prairie Village North  
Planned Unit Development  
Request for Annexation  
Comprehensive Plan Amendment  
EDC Job #03-100-25A

Dear Mrs. Horner,

On behalf of Engineering Design Consultants client, Prairie Homes, we hereby submit the following applications per the subdivision review process:

1. Application for a Planned Unit Development
2. Request for Annexation

Prairie Village North is a proposed Planned Unit Development (PUD) that is about 275 acres generally located on the northeast corner of North 84<sup>th</sup> Street and Adams Street. Prairie Village North will propose a mix of commercial, apartments, town homes, and single family lots.

Prairie Village North will feature a Neighborhood Center that includes 700,000 to 800,000 square feet of department stores, retail stores, and office uses adjacent to a mix of residential housing that is split by a landscaped boulevard which will serve as the main access into the development. The Neighborhood Center will provide a pedestrian friendly retail and office center featuring a plaza providing a public meeting place as well as green space among uniform yet uniquely designed buildings.

The Prairie Village North PUD is a conceptual plan only as required by the Planned Unit Development Ordinance. Administrative Amendments will determine a more precise lot and street layout as well as defining the Neighborhood Commercial Center.

Two options are being presented to the City for Prairie Village North and only one option will be chosen to proceed to Planning Commission and City Council. The two options are based on the final location of the proposed Wal-Mart. Option 'A' will be chosen if Wal-Mart agrees to withdraw its Use Permit for the South side of Adams Street and relocate to the North side. Option 'B' will be chosen if Wal-Mart chooses to locate on the South side of Adams Street.

The Prairie Village North PUD includes the following information (Option A and Option B information will be noted when it is different than the general):

1. The existing zone is AG, the proposed zone is R-3, R-5, B-2, and O-3.
2. Proposed Land & Commercial/Office Use for Option A:

| <u>Use</u>            | <u>Allowable SF</u> | <u>Location</u>       |
|-----------------------|---------------------|-----------------------|
| a. Retail (Big Box 1) | 225,000 SF          | North of Adams Street |
| b. Retail (Big Box 2) | 175,000 SF          | North of Adams Street |
| c. Retail (Pad Sites) | 100,000 SF*         | North of Adams Street |
| d. Office             | 100,000 SF*         | North of Adams Street |
| e. Office             | 200,000 SF**        | South of Adams Street |
| f. Total              | 800,000 SF          |                       |

\*100,000 square feet of commercial/office use on the North side of Adams Street contingent on the following conditions:

- A site plan including pedestrian oriented commercial uses with the center oriented to the neighborhood.
- Completion of at least 200 Multi-Family Units (PUD is to include a mix of residential uses and higher than typical overall density of 4 dwelling units per residential acre).
- Acceptable traffic impact based on traffic study.
- 50,000 square feet of the additional 100,000 square feet may only be used if located on the second floor or above a building.
- Inclusion of open space, such as a mini-park or plaza located within the commercial center or within one block of the multiple family units (open space must be open to the public, but may be either public or private owned).

\*\*Up to 50,000 square feet of the allowable 200,000 square feet of building space on the South side of Adams Street may be used for retail if part of a two-story building in which at least 50% is for office use.

3. Proposed Land & Commercial/Office Use for Option B:

| <u>Use</u>            | <u>Allowable SF</u> | <u>Location</u>       |
|-----------------------|---------------------|-----------------------|
| a. Retail (Big Box 1) | 225,000 SF          | South of Adams Street |
| b. Retail (NC)        | 200,000 SF          | North of Adams Street |
| c. Office             | 100,000 SF*         | North of Adams Street |
| d. Total              | 525,000 SF*         |                       |

\*Allowable office space may vary from 50,000 to 100,000 square feet  
Dependent on the following conditions:

- A site plan including pedestrian oriented commercial uses with the center oriented to the neighborhood.
- Completion of at least 200 Multi-Family Units (PUD is to include a mix of residential uses and higher than typical overall density of 4 dwelling units per residential acre).
- Acceptable traffic impact based on traffic study.
- 50,000 square feet of the additional 100,000 square feet may only be used if located on the second floor or above a building.
- Inclusion of open space, such as a mini-park or plaza located within the commercial center or within one block of the multiple family units (open space must be open to the public, but may be either public or private owned).

4. Usage Table (Option A)

|                           |            |
|---------------------------|------------|
| a. Single Family          | 270        |
| b. Attached Single Family | 190        |
| c. Townhouse              | 190        |
| d. <u>Multi-Family</u>    | <u>200</u> |
| e. Total Units            | 850        |

5. Lot Table (Option A)

|                           |          |
|---------------------------|----------|
| a. Single Family          | 270      |
| b. Attached Single Family | 190      |
| c. Townhouse              | 190      |
| d. Multi-Family           | 1        |
| e. B-2                    | 1        |
| f. <u>O-3</u>             | <u>1</u> |
| g. Total Lots             | 653      |

6. PUD Calculations (Option A)

|    | <u>Zone</u>                   | <u>Total Acres</u> | <u>Multiplier</u> | <u>#of Units</u> |
|----|-------------------------------|--------------------|-------------------|------------------|
| a. | R-3                           | 143.83             | 6.96              | 1,001            |
| b. | R-5                           | 14.21              | 29.04             | <u>412</u>       |
| c. | Total Allowable Units         |                    |                   | <u>1,413</u>     |
| d. | Total Units Used              |                    |                   | <u>850</u>       |
| e. | Total Units Available for Use |                    |                   | 563              |

7. Usage Table (Option B)

|                           |       |
|---------------------------|-------|
| a. Single Family          | 270   |
| b. Attached Single Family | 190   |
| c. Townhouse              | 190   |
| d. Multi-Family           | 440   |
| e. Total Units            | 1,090 |

8. Lot Table (Option B)

|                           |     |
|---------------------------|-----|
| a. Single Family          | 270 |
| b. Attached Single Family | 190 |
| c. Townhouse              | 190 |
| d. Multi-Family           | 1   |
| e. B-2                    | 2   |
| f. O-3                    | 1   |
| g. Total Lots             | 654 |

9. PUD Calculations (Option B)

|    | <u>Zone</u>                   | <u>Total Acres</u> | <u>Multiplier</u> | <u>#of Units</u> |
|----|-------------------------------|--------------------|-------------------|------------------|
| a. | R-3                           | 158.04             | 6.96              | 1,100            |
| b. | R-5                           | 22.65              | 29.04             | 657              |
| c. | Total Allowable Units         |                    |                   | 1,757            |
| d. | Total Units Used              |                    |                   | 1,090            |
| e. | Total Units Available for Use |                    |                   | 667              |

10. Direct vehicular access to North 84<sup>th</sup> Street is relinquished except where shown.
11. Direct vehicular access to Adams Street is relinquished except where shown.
12. Direct vehicular access to the public streets in front of the Townhouse Units will be relinquished except where shown.
13. Approximately 4 acres of land within the flood plain adjacent to the PUD will be reserved for a public Neighborhood Park. A 40' – 50' wide corridor will be preserved to connect the park space to the public right-of-way. Additional trail connections will be provided within the neighborhood to connect to the neighborhood park and additional pedestrian easements will need to be provided to meet block length requirements.
14. A pedestrian way network will be provided to provide connectivity within the entire development. The Neighborhood Commercial Center will be connected to the residential area and both the commercial center and residents will be connected to the Murdock Bike Trail and the Neighborhood Park.



15. Blanket utility easements are granted over the B-2 Lots, O-3 Lots, and Outlots.
16. Parking and street configurations shown within the commercial area is conceptual and subject to change. Final parking and traffic circulation will be provided with future Administrative Amendments.
17. The proposed Micro Park adjacent to the Neighborhood Commercial Center will be dedicated to the City as a charitable contribution. Mowing and snow removal of park areas will be the responsibility of the developer/future homeowners association. All other maintenance will be the responsibility of the City.
18. A 20' wide trail easement will be dedicated within the Steven Creek flood plain adjacent to this development. Alignment and location of the trail shall be mutually agreed to by the developer and the City of Lincoln Parks and Recreation Department, and will be determined at a future date.
19. The following waivers are requested for the Planned Unit Development:
  - a. Title 26 – Section 26.11.020 of the Subdivision Regulations, a waiver is requested to waive the requirement of a preliminary plat as a PUD does not require a preliminary plat with submittal to the City.
  - b. Title 26 – Section 26.15.020 of the Subdivision Regulations, a waiver is requested to waive the information on or accompanying a preliminary plat including: Grading, Paving Profiles, Storm Water Detention and Storm Sewer Calculations, Lot Layout, and Street Curve Data as this information will be clearly defined with Administrative Amendments.
  - c. Title 2 of the City of Lincoln Design Standards – Chapter 2.00, Section 3, Paragraph 3.6, a waiver is requested to allow sanitary sewer to flow opposite street grades as long as sewer depth does not exceed 15' and length of pipe run opposing street grade does not exceed 500'. The waiver is being requested to allow flexibility in utility design to eliminate the potential for multiple outfall connections to the future Stevens Creek Trunk Sewer. Granting of this waiver will allow minor design standard deviations, which are generally approved without question, to be reviewed and approved by Public Works staff without having to bring such issues before the City Council with future amendments.
20. The minimum zoning requirements for the R-3, B-2, and O-3 include the following:
  - R-3
    - a. Single Family
      1. 5,000 SF      Lot Area
      2. 35'              Lot Width



- 3. 15' Front Yard Setback
- 4. 5' Side Yard Setback
- 5. 20' Rear Yard Setback
- 6. 35' Height
- b. Two-Family
  - 1. 5,000 SF Per Family/Lot Area
  - 2. 40' Per Family/Lot Width
  - 3. 15' Front Yard Setback
  - 4. 5' 0' if party wall/Side Yard Setback
  - 5. 20' Rear Yard Setback
  - 6. 35' Height
- c. Townhouse
  - 1. 2,500 SF Lot Area
  - 2. 25' Lot Width
  - 3. 10' Front Yard Setback\*
  - 4. 5' 0' if party wall/Side Yard Setback
  - 5. 20' Rear Yard Setback
  - 6. 35' Height
  - 7. \*Townhouse maximum front yard setback will be 10'

**B-2**

- a. Dwelling
  - 1. 2,000 SF Dwelling/Per Unit
  - 2. 25' Front Yard Setback
  - 3. 10' Side Yard Setback\*
  - 4. 25' Rear Yard Setback\*
  - 5. 40' Height
  - 6. \*Side and rear yards abutting a residential district shall be screened in conformance with the landscape design standards adopted by the City of Lincoln.
- b. Other Uses
  - 1. 0 SF Lot Area
  - 2. 25' Front Yard Setback
  - 3. 0', 20' Side Yard Setback\*
  - 4. 0', 25' Rear Yard Setback\*
  - 5. 40' Height
  - 6. \*Side and rear yards abutting a residential district shall be screened in conformance with the landscape design standards adopted by the City of Lincoln.

O-3

Single Family, Two-Family

- |             |                    |
|-------------|--------------------|
| 1. 4,000 SF | Lot Area           |
| 2. 50'      | Frontage           |
| 3. 10'      | Front Yard Setback |
| 4. 15'      | Side Yard Setback  |
| 5. 20'      | Rear Yard Setback  |
| 6. 35'      | Height             |

Multiple Family

- |             |                    |
|-------------|--------------------|
| 1. 1,500 SF | Per Unit           |
| 2. 50'      | Frontage           |
| 3. 10'      | Front Yard Setback |
| 4. 15'      | Side Yard Setback  |
| 5. 20'      | Rear Yard Setback  |
| 6. 35'      | Height             |

Townhouse

- |            |                    |
|------------|--------------------|
| 1. 2,500SF | Per Unit           |
| 2. 50'     | Frontage           |
| 3. 10'     | Front Yard Setback |
| 4. 15'     | Side Yard Setback  |
| 5. 20'     | Rear Yard Setback  |
| 6. 35'     | Height             |

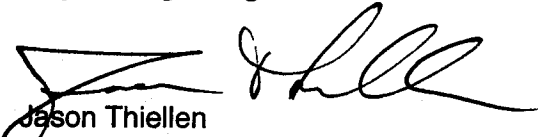
Other Permitted Uses

- |             |                    |
|-------------|--------------------|
| 1. 4,000 SF | Lot Area           |
| 2. 50'      | Frontage           |
| 3. 10'      | Front Yard Setback |
| 4. 15'      | Side Yard Setback  |
| 5. 20'      | Rear Yard Setback  |
| 6. 35'      | Height             |

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

Engineering Design Consultants

  
Jason Thiellen  
Land Planner

Enclosed



# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair  
City-County Planning Commission

555 South 10th Street  
Suite 213

Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

April 4, 2005

Kent Braasch  
Essex Corp.  
11606 Nicholas Street  
Omaha, NE 68154

RE: The Preserve on Antelope Creek 9<sup>th</sup> Addition - Final Plat #04113  
Generally located at South 80<sup>th</sup> Street and Pioneers Blvd

Dear Kent,

The Preserve on Antelope Creek 9<sup>th</sup> Addition, generally located at South 80<sup>th</sup> Street and Pioneers Blvd was approved by the Planning Director on March 30, 2005. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,



Brian Will  
Planner

xc: Joan Ray, City Council  
Dennis Bartels, Public Works & Utilities  
Terry Kathe, Building & Safety  
Sharon Theobald, Lincoln Electric  
Jean Walker, Planning  
File



# CITY OF LINCOLN NEBRASKA

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Planning Department  
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City-County Planning Commission

555 South 10th Street  
Suite 213

Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

April 4, 2005

Lyle Loth  
ESP

601 Old Cheney Rd. Suite A  
Lincoln, NE 68512

RE: Aspen Ridge 3<sup>rd</sup> Addition Final Plat #04104 Generally located at  
S.W. 27<sup>th</sup> St. and West "A" St.

Dear Lyle:

Aspen Ridge 3<sup>rd</sup> Addition generally located southeast of S.W. 27<sup>th</sup> St and West "A" St. was approved by the Planning Director on March 29, 2005. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Tom Cajka  
Planner

CC: Robert Benes  
Joan Ray, City Council  
Dennis Bartels, Public Works & Utilities  
Terry Kathe, Building & Safety  
Sharon Theobald, Lincoln Electric  
File

I:\Boilerplates\Approval.wpd



**Ray F Hill**

04/07/2005 11:48 AM

To: City Council Members  
cc: City Council Staff, Coleen J Seng/Notes@Notes, Ann  
Harrell/Notes@Notes, Marvin S Krout/Notes@Notes, glenn@lpsnrd.org  
Subject: The Links PUD @ 1st & Fletcher- water wells

This is in response to a phone call from Councilperson Pattie Newman.

I called Kim Fugitt, Lindsey Management Co. to inquire on what they were doing on well water.

Kim informed me that they are conducting tests and that the test result will not be completed before Monday's Council meeting and that he will be requesting a delay.

They are having a meeting tonight with the neighbors.


It appears that the people with a shortage of well water are located further to the north on a ridge. He indicated that a water well adjacent to the site pumps 34 gallons per minute and the well for the existing house on the site pumps 20 gallons per minute however the capacity of that pump is 20 gallons per minute. They will use a pump with a larger capacity to do further tests of that well. He also explained they will be drilling observation wells to observe the impact on the aquifer.

They will submit the results to the Lower Platte South NRD to determine that the proposed irrigation well would not impact other higher priority water wells in the area.

~~~~~  
Ray F. Hill  
Development Review Manager  
Lincoln/Lancaster County Planning Dept.  
(402) 441-6371

**PLANNING COMMISSION FINAL ACTION**  
**NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning 

**DATE :** April 5, 2005

**RE :** **Special Permit No. 05011, Vintage Hills Community Unit Plan**  
(Southeast of S. 84<sup>th</sup> Street and Old Cheney Road)  
**Resolution No. PC-00916**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 30, 2005:

Motion made by Taylor, seconded by Marvin, to approve **Special Permit No. 05011, Vintage Hills Community Unit Plan**, with conditions, requested by Associated Engineering on behalf of Ron Tonniges and Stephen and Patricia Behrendt, for authority to develop a community unit plan for 38 dwelling units, with requested waivers of the required preliminary plat process; rear yard setback on Lots 1-10, Block 1; radial lot lines on Lots 20 and 21, Block 2, and Lots 1 and 2, Block 3; and sidewalks on both sides of S. 85<sup>th</sup> Court, on property generally located southeast of S. 84<sup>th</sup> Street and Old Cheney Road.

Motion to approve, with conditions, carried 9-0: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand voting 'yes'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission. The Planning Commission action approving the associated Change of Zone No. 05018 is a recommendation to the City Council.

Attachment

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Ron Tonniges, 4620 Pioneer Greens Court, 68526  
Paula Dicero, Associated Engineering, 1232 High Street, Suite 3, 68502  
Stephen Nickel, Family Acres Assn., 7941 Portsche Lane, 68516  
Dorothy Iwan, Family Acres Assn., 7605 S. 75<sup>th</sup> Street, 68516

---

RESOLUTION NO. PC- 00916

SPECIAL PERMIT NO. 05011

1           WHEREAS, Stephen and Patricia Behrendt have submitted an application  
2     designated as Special Permit No. 05011 for authority to develop Vintage Hills Community Unit  
3     Plan for 38 dwelling units, with requested waivers of the required preliminary plat process, rear  
4     yard setback on Lots 1-10, Block 1, radial lot lines on Lots 20 and 21, Block 2, and Lots 1 and  
5     2, Block 3, and sidewalks on both sides of S. 85th Court, on property located southeast of S.  
6     84th Street and Old Cheney Road, and legally described as:

7           Lot 16, Irregular Tract, located in the Northwest Quarter of  
8           Section 14, Township 9 North, Range 7 East of the 6th P.M.,  
9           Lancaster County, Nebraska

10          WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a  
11     public hearing on said application; and

12          WHEREAS, the community as a whole, the surrounding neighborhood, and the  
13     real property adjacent to the area included within the site plan for this community unit plan will  
14     not be adversely affected by granting such a permit; and

15          WHEREAS, said site plan together with the terms and conditions hereinafter set  
16     forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and  
17     purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and  
18     general welfare; and

19          NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County  
20     Planning Commission of Lincoln, Nebraska:

1 That the application of Stephen and Patricia Behrendt, hereinafter referred to as  
2 "Permittee", to develop Vintage Hills Community Unit Plan for 38 dwelling units be and the  
3 same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the  
4 Lincoln Municipal Code upon condition that Change of Zone No. 05018 rezoning the above-  
5 described property from AGR Agricultural District to R-3 Residential District is approved by the  
6 City Council of the City of Lincoln, Nebraska and that construction of said development be in  
7 strict compliance with said application, the site plan, and the following additional express terms,  
8 conditions, and requirements:

9 1. This approval permits:

- 10 a. 38 dwelling units;
- 11 b. A waiver of the required rear yard setback from 24' to 10' on Lots 1 - 10,  
12 Block 1, for the sole purpose of allowing stairs from a deck;
- 13 c. A waiver of the requirement that lot lines be radial to the street on Lots 20  
14 & 21, Block 2 and Lots 1 & 2, Block 3;
- 15 d. A waiver of the requirement that sidewalks be installed on both sides of  
16 S. 85<sup>th</sup> Ct;
- 17 e. A waiver of the preliminary plat process provided that if any final plat on  
18 all or a portion of the approved community unit plan is submitted five (5)  
19 years or more after the approval of the community unit plan, the city may  
20 require that a new community unit plan be submitted, pursuant to all the  
21 provisions of section 26.31.015. A new community unit plan may be  
22 required if the subdivision ordinance, the design standards, or the  
23 required improvements have been amended by the city; and as a result,  
24 the community unit plan as originally approved does not comply with the  
25 amended rules and regulations.

26 2. Before the approval of a final plat, the public streets, private roadway  
27 improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land  
28 preparation and grading, sediment and erosions control measures, storm water  
29 detention/retention facilities, drainageway improvements, street lights, landscaping screens,  
30 street trees, temporary turnaround and barricades, and street name signs, must be completed  
31 or provisions (bond, escrow or security agreement) to guarantee completion must be approved



1 by the City Law Department. The improvements must be completed in conformance with  
2 adopted design standards and within the time period specified in the Land Subdivision  
3 Ordinance.

4 3. The Planning Director may approve final plats after the Permittee signs an  
5 agreement which binds the Permittee and Permittee's successors and assigns:

- 6 a. To complete the street paving of public streets shown on the final plat  
7 within two (2) years following the approval of the final plat.
- 8 b. To complete the paving of private roadway shown on the final plat within  
9 two (2) years following the approval of this final plat.
- 10 c. To complete the installation of sidewalks along both sides of Remi Dr.,  
11 Remi Ct., S. 86<sup>th</sup> Ct., and S. 87<sup>th</sup> St. and along the east side of S. 85<sup>th</sup> Ct.  
12 and the east side of S. 84<sup>th</sup> St. as shown on the final plat within four (4)  
13 years following the approval of the final plat.
- 14 d. To complete the public water distribution system to serve this plat within  
15 two (2) years following the approval of the final plat.
- 16 e. To complete the public wastewater collection system to serve this plat  
17 within two (2) years following the approval of the final plat.
- 18 f. To complete the enclosed public drainage facilities shown on the  
19 approved drainage study to serve this plat within two (2) years following  
20 the approval of the final plat.
- 21 g. To complete land preparation including storm water detention/retention  
22 facilities and open drainageway improvements to serve this plat prior to  
23 the installation of utilities and improvements but not more than two (2)  
24 years following the approval of the final plat
- 25 h. To complete the installation of public street lights along Remi Dr., Remi  
26 Ct., S. 86<sup>th</sup> Ct. and S. 87<sup>th</sup> St. within this plat within two (2) years following  
27 the approval of the final plat.
- 28 i. To complete the installation of private street lights along S. 85<sup>th</sup> Ct. within  
29 this plat within two (2) years following the approval of the final plat.
- 30 j. To complete the planting of the street trees along Remi Dr., Remi Ct., S.  
31 84<sup>th</sup> St., S. 85<sup>th</sup> Ct., S. 86<sup>th</sup> Ct., and S. 87<sup>th</sup> St. within this plat within four  
32 (4) years following the approval of the final plat.
- 33 k. To complete the planting of the landscape screen within this plat within  
34 two (2) years following the approval of the final plat.
- 35

- 1                   l.       To complete the installation of the street name signs within two (2) years  
2                   following the approval of the final plat.
- 3                   m.       To timely complete any other public or private improvement or facility  
4                   required by Chapter 26.23 (Development Standards) of the Land  
5                   Subdivision Ordinance which has not been waived but which  
6                   inadvertently may have been omitted from the above list of required  
7                   improvements.
- 8                   n.       To submit to the Director of Public Works a plan showing proposed  
9                   measures to control sedimentation and erosion and the proposed method  
10                  to temporarily stabilize all graded land for approval.
- 11                  o.       To complete the public and private improvements shown on the  
12                  Community Unit Plan.
- 13                  p.       To continuously and regularly maintain the street trees along the private  
14                  roadways and landscape screens.
- 15                  q.       To perpetually maintain the sidewalks in the pedestrian way easements  
16                  on Outlot "B" at their own cost and expense.
- 17  
18                  r.       To properly and continuously maintain and supervise the private facilities  
19                  which have common use or benefit, and to recognize that there may be  
20                  additional maintenance issues or costs associated with providing for the  
21                  proper functioning of storm water detention/retention facilities as they  
22                  were designed and constructed within the development, and that these  
23                  are the responsibility of the land owner.
- 24                  s.       To retain ownership of and the right of entry to the outlots in order to  
25                  perform the above-described maintenance of the outlots and private  
26                  improvements on a permanent and continuous basis. However,  
27                  Permittee as subdivider may be relieved and discharged of such  
28                  maintenance obligations upon creating in writing a permanent and  
29                  continuous association of property owners who would be responsible for  
30                  said permanent and continuous maintenance subject to the following  
31                  conditions:
- 32                    i.       Subdivider shall not be relieved of Subdivider's maintenance  
33                    obligation for each specific private improvement until a register  
34                    professional engineer or nurseryman who supervised the  
35                    installation of said private improvement has certified to the City  
36                    that the improvement has been installed in accordance with  
37                    approved plans.
- 38                    ii.      The maintenance agreements are incorporated into covenants  
39                    and restrictions in deeds to the subdivided property and the  
40                    documents creating the association and the restrictive covenants  
41                    have been reviewed and approved by the City Attorney and filed  
42                    of record with the Register of Deeds.

- 1 t. To submit to the lot buyers and home builders a copy of the soil analysis.
- 2 u. To pay all design, engineering, labor, material, inspection, and other  
3 improvement costs except those cost the City Council specifically  
4 subsidizes as follow:
- 5 v. To comply with the provisions of the Land Preparation and Grading  
6 requirements of the Land Subdivision Ordinance.
- 7 4. Before receiving building permits:
- 8 a. The permittee shall complete the following instructions and submit the  
9 documents and plans to the Planning Department office for review and  
10 approval.
- 11 i. A revised site plan including 5 copies showing the following  
12 revisions:
- 13 (1) Delete "mini-park" from Outlot "B".
- 14 (2) Show utility easements as requested by the LES memo of  
15 March 4, 2005.
- 16 (3) Relocate the sanitary sewer from Outlot "B" to S. 85<sup>th</sup> Ct.
- 17 (4) Make corrections per Public Works memo of March 11,  
18 2005.
- 19 (5) Remove the City Council approval block.
- 20 (6) Delete items 2,3 & 6 in Note 19 and add the waiver to  
21 allow sidewalk on one side of S. 85<sup>th</sup> Ct.
- 22 (7) Add the attached single-family symbol to the legend.
- 23 (8) Dedicate 10' of additional right-of-way along S. 84<sup>th</sup> St.
- 24 (9) Identify S. 85<sup>th</sup> Ct. as a private roadway.
- 25 (10) Sign the surveyor's certificate.
- 26 (11) Show a sidewalk from Remi Dr. through Outlot B to the  
27 playground and to the sidewalk on S. 85<sup>th</sup> Ct. The sidewalk  
28 must be within a 5' pedestrian easement.
- 29 (12) Remove Ron Tonniges as owner and identify the current  
30 owner on the site plan.
- 31

1 (13) The line depicting the existing contours shall be dashed to  
2 distinguish them from other lines and shall be continuous  
3 through the plat.

4 (14) Show both existing and proposed contour lines in the  
5 legend.

6 ii. A permanent final plan with 5 copies as approved.

7 b. Ornamental street lights for private roadways and pedestrian way  
8 easements are approved by L.E.S.

9 c. The construction plans comply with the approved plans.

10 d. Final plats are approved by the City.

11 e. The required easements as shown on the site plan are recorded with the  
12 Register of Deeds.

13  
14 5. Before occupying this Community Unit Plan all development and construction is  
15 to comply with the approved plans.

16 6. All privately-owned improvements, including landscaping and recreational  
17 facilities, are to be permanently maintained by the owner or an appropriately established  
18 homeowners association approved by the City.

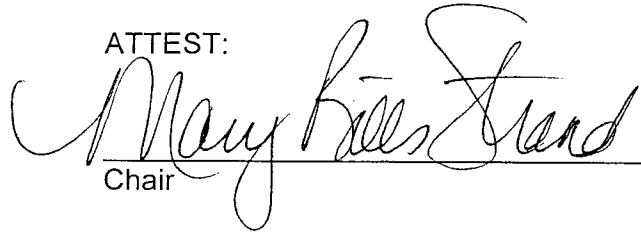
19 7. The site plan approved by this permit shall be the basis for all interpretations of  
20 setbacks, yards, locations of buildings, location of parking and circulation elements, and similar  
21 matters.

22 8. This resolution's terms, conditions, and requirements bind and obligate the  
23 Permittee, and Permittee's successors and assigns.

24 9. The Permittee shall sign and return the letter of acceptance to the City Clerk  
25 within 30 days following the approval of the special permit, provided, however, said 30-day  
26 period may be extended up to six months by administrative amendment. The clerk shall file the  
27 attached Notice of Development and Use Restrictions pertaining to the special permit and the  
28 letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the  
29 Permittee.

1                   The foregoing Resolution was approved by the Lincoln City-Lancaster County  
2   Planning Commission on this 30 day of March, 2005.

ATTEST:

  
Chair

Approved as to Form & Legality:

  
Chief Assistant City Attorney

**NOTICE OF  
DEVELOPMENT AND USE RESTRICTIONS**

Notice is hereby given that the Lincoln City-Lancaster County Planning Commission has approved the application of Stephen and Patricia Behrendt (hereinafter referred to as "Permittee") designated as Special Permit No. 05011 to develop the Vintage Hills Community Unit Plan for 38 dwelling units upon condition that construction of said development be in strict compliance with the application, the site plan, and the other express terms, conditions, and requirements contained in Resolution No. PC- 00916 ("Resolution") approving Special Permit No. 05011.

The terms, conditions, and requirements of the Resolution are binding upon the Permittee and Permittee's successors and assigns and inure to and run with the property.

The property subject to the terms, conditions, and requirements contained in the Resolution is generally located southeast of South 84th Street and Old Cheney Road and is legally described as:

Lot 16, Irregular Tract, located in the Northeast Quarter of  
Section 14, Township 9 North, Range 7 East of the 6th P.M.,  
Lancaster County, Nebraska.

A copy of the application, site plan, and the Resolution are on file in the office of the Lincoln-Lancaster County Planning Department and are available for inspection during office hours.

Building permits and certificates of occupancy shall be issued only upon substantial compliance with Special Permit No. 05011 as approved or as amended pursuant to the Lincoln Municipal Code.

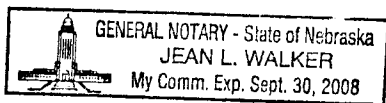
Future amendments to Special Permit No. 05011 will also be retained on file in the office of the Lincoln-Lancaster County Planning Department.



Chair  
Lincoln City-Lancaster County Planning Commission

STATE OF NEBRASKA     )  
                                      ) ss.  
LANCASTER COUNTY     )

The foregoing instrument was acknowledged before me this 30 day of MARCH,  
2015, by MARY Bills-Strand, Chair of the Lincoln City-Lancaster County Planning Commission.



Jean L. Walker  
Notary Public


**PLANNING COMMISSION FINAL ACTION**  
**NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning

**DATE :** April 5, 2005

**RE :** **Special Permit No. 05012**  
(On-sale alcohol - 2801 Pine Lake Road)  
**Resolution No. PC-00915**



The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 30, 2005:

Motion made by Carroll, seconded by Carlson, to approve **Special Permit No. 05012**, with conditions, requested by Jenny Gannon on behalf of Noodles & Company Restaurant, for authority to sell alcoholic beverages for consumption on the premises as designated on the site plan, generally located at 2801 Pine Lake Road, Suite X.

Motion to approve, with conditions, carried 9-0: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand voting 'yes'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

**Attachment**

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Jenny Gannon, The Noodle Shop Co., 2590 Pearl St., Boulder, CO 80302  
South Ridge Village, LLC, 8200 Cody Dr., Suite F, 68512  
Arnold Freeman, Porter Ridge N.A., P.O. Box 23212, 68542  
Tim & LuAnn Dougherty, Porter Ridge N.A., 7131 S. 30<sup>th</sup>, 68516



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RESOLUTION NO. PC- 00915

SPECIAL PERMIT NO. 05012

1           WHEREAS, Jenny Gannon on behalf of Noodles & Company Restaurant,  
2           has submitted an application designated as Special Permit No. 05012 for authority to  
3           sell alcoholic beverages for consumption, on the premises as designated on the site  
4           plan generally located at 2801 Pine Lake Road, Suite X, legally described as:

5                     Lot 1, South Ridge Village 8th Addition, Lincoln, Lancaster  
6                     County, Nebraska; and

7           WHEREAS, the real property adjacent to the area included within the site  
8           plan for this permit to sell alcoholic beverages on the premises will not be adversely  
9           affected; and

10           WHEREAS, said site plan together with the terms and conditions  
11           hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln  
12           Municipal Code to promote the public health, safety, and general welfare.

13           NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster  
14           County Planning Commission of Lincoln, Nebraska:

15           That the application of Noodles & Company Restaurant, hereinafter  
16           referred to as "Permittee", to sell alcoholic beverages for consumption on the premises

1 on property legally described above be and the same is hereby granted under the  
2 provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that  
3 operation of said licensed premises be in strict compliance with said application, the  
4 site plan, and the following additional express terms, conditions, and requirements:

5 1. This permit approves the sale of alcoholic beverages for  
6 consumption on the premises as designated on the site plan.

7 2. Before receiving building permits the Permittee must submit six  
8 copies of a revised site plan for review and approval by the Planning Department  
9 showing the following revisions:

10 a. Show the "to-go" parking designation deleted.

11 b. Show the decorative columns near the outdoor seating area.

12 c. Show the dimension from the back of curb to the decorative  
13 columns adjacent to the outdoor seating area, and the  
14 dimensions of the licensed premises including the outdoor  
15 seating area.

16 3. Before the sale of alcohol for consumption on the premises, all  
17 development and construction must conform to the approved plans.

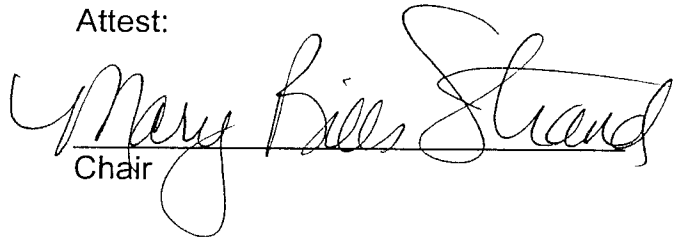
18 4. The site plan approved by this permit shall be the basis for all  
19 interpretations of setbacks, yards, locations of buildings, location of parking and  
20 circulation elements, and similar matters.

21 5. The terms, conditions, and requirements of this resolution shall be  
22 binding and obligatory upon the Permittee, and Permittee's successors, and assigns.  
23 The building official shall report violations to the City Council which may revoke the  
24 special permit or take such other action as may be necessary to gain compliance.

1                   6.       The Permittee shall sign and return the City's letter of acceptance  
2 to the City Clerk within 30 days following approval of the special permit, provided,  
3 however, said 30-day period may be extended up to six months by administrative  
4 amendment. The City Clerk shall file a copy of the resolution approving the special  
5 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be  
6 paid in advance by the Permittee.

*DATED: March 30, 2005.*

Attest:


  
Chair

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION**  
**NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning 

**DATE :** April 5, 2005

**RE :** **Special Permit No. 05013**  
(Dance studio - northeast of S. 56<sup>th</sup> Street and Thompson Creek Blvd.)  
**Resolution No. PC-00917**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 30, 2005:

Motion made by Taylor, seconded by Marvin, to approve **Special Permit No. 05013**, with conditions, requested by J. Michael Rierden on behalf of Rosasco Properties, Inc., for authority to construct a dance studio in the O-3 zoning district, on property located northeast of South 56<sup>th</sup> Street and Thompson Creek Boulevard.

Motion to approve, with conditions, carried 9-0: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand voting 'yes'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

**Attachment**

**cc:** Building & Safety  
Rick Peo, City Attorney  
Public Works  
J. Michael Rierden, 645 M Street, #200, 68508  
Rosasco Properties, Inc., 7400 Cross Lake Lane, 68516  
Stephen Nickel, Family Acres Assn., 7941 Portsche Lane, 68516  
Dorothy Iwan, Family Acres Assn., 7605 S. 75<sup>th</sup> Street, 68516

---

RESOLUTION NO. PC- 00917

SPECIAL PERMIT NO. 05013

1 WHEREAS, Rosasco Properties, Inc. has submitted an application  
2 designated as Special Permit No. 05013 for authority to construct a dance studio in the  
3 O-3 zoning district on property located northeast of South 56th Street and Thompson  
4 Creek Blvd., and legally described to wit:

5 Lot 13, Block 3, Thompson Creek Addition, Lincoln,  
6 Lancaster County, Nebraska;

7 WHEREAS, the Lincoln City-Lancaster County Planning Commission has  
8 held a public hearing on said application; and

9 WHEREAS, the community as a whole, the surrounding neighborhood,  
10 and the real property adjacent to the area included within the site plan for this dance  
11 studio will not be adversely affected by granting such a permit; and

12 WHEREAS, said site plan together with the terms and conditions  
13 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln  
14 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the  
15 public health, safety, and general welfare.

16 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster  
17 County Planning Commission of Lincoln, Nebraska:

1           That the application of Rosasco Properties, Inc., hereinafter referred to as  
2 "Permittee", to construct a dance studio in the O-3 zoning district be and the same is  
3 hereby granted under the provisions of Section 27.63.075 the Lincoln Municipal Code  
4 upon condition that construction of said dance studio be in strict compliance with said  
5 application, the site plan, and the following additional express terms, conditions, and  
6 requirements:

7           1.     This approval permits a private school with a parking demand that does  
8 not exceed a maximum of 15 stalls.

9           2.     Before receiving building permits:

10           a.    The permittee shall complete the following instructions and submit  
11               the documents and plans to the Planning Department office for  
12               review and approval.

13           b.    A revised site plan including 5 copies showing the following  
14               revisions: modify the dance schedule to show Monday through  
15               Saturday and remove the second listing of Friday.

16           3.    The construction plans comply with the approved plans.

17           4.    Before occupying this building all development and construction is to  
18 comply with the approved plans.

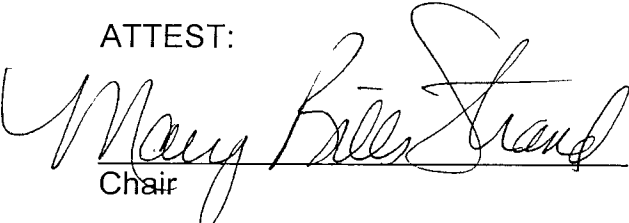
19           5.    The site plan accompanying this permit shall be the basis for all  
20 interpretations of setbacks, yards, locations of buildings, location of parking and  
21 circulation elements, and similar matters.

22           6.    This resolution's terms, conditions, and requirements bind and obligate  
23 the permittee, its successors and assigns.

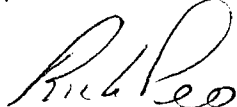
1           7.       The applicant shall sign and return the letter of acceptance to the City  
2 Clerk within 30 days following the approval of the special permit, provided, however,  
3 said 30-day period may be extended up to six months by administrative amendment.  
4 The clerk shall file a copy of the resolution approving the special permit and the letter of  
5 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the  
6 applicant.

7           The foregoing Resolution was approved by the Lincoln City-Lancaster County  
8 Planning Commission on this 30 day of March, 2005.

ATTEST:


  
Chair

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION**  
**NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning 

**DATE :** April 6, 2005

**RE :** **Special Permit No. 05014**  
(On-sale alcohol - 2300 Judson Street)  
**Resolution No. PC-00918**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 30, 2005:

Motion made by Taylor, seconded by Carlson, to approve **Special Permit No. 05014**, with conditions, as revised by the applicant, requested by Dave Sutko of Spikes Volleyball Beach, Bar and Grill, for authority to sell alcoholic beverages for consumption on the premises generally located at 2300 Judson Street. (The applicant withdrew the request for off-sale at the public hearing).

Motion to approve, with conditions, as revised, carried 9-0: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand voting 'yes'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

**Attachment**

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Dave Sutko, 5210 N.W. 7<sup>th</sup> Street, 68521  
J.D. Burt, Design Associates, 1609 N Street, 68508  
Rob Hackwith, Landon's Neighborhood Assn., 4210 N. 23<sup>rd</sup>, 68521  
John and Carol Brown, Landon's Neighborhood Assn., 2201 Elba Circle, 68521



---

RESOLUTION NO. PC- 00918

SPECIAL PERMIT NO. 05014

1 WHEREAS, Sekips, Inc. dba Spikes Volleyball Beach, Bar and Grill, has  
2 submitted an application designated as Special Permit No. 05014 for authority to sell  
3 alcoholic beverages for consumption on the premises generally located at 2300 Judson  
4 Street, legally described as:

5 Lot 1, Fairfield Centre 4th Addition, Lincoln, Lancaster  
6 County, Nebraska; and

7 WHEREAS, the real property adjacent to the area included within the site  
8 plan for this permit to sell alcoholic beverages on the premises will not be adversely  
9 affected; and

10 WHEREAS, said site plan together with the terms and conditions  
11 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln  
12 Municipal Code to promote the public health, safety, and general welfare.

13 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster  
14 County Planning Commission of Lincoln, Nebraska:

15 That the application of Sekips, Inc. dba Spikes Volleyball Beach, Bar and  
16 Grill, hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption

1 on the premises on property legally described above be and the same is hereby  
2 granted under the provisions of Section 27.63.680 of the Lincoln Municipal Code upon  
3 condition that operation of said licensed premises be in strict compliance with said  
4 application, the site plan, and the following additional express terms, conditions, and  
5 requirements:

6 1. This permit approves the sale of alcoholic beverages for  
7 consumption on the premises as designated on the site plan.

8 2. Before receiving building permits the Permittee must submit six  
9 copies of a revised site plan that clearly delineates and notes the boundary of Lot 1 as  
10 the premises for review and approval by the Planning Department.

11 3. Before the sale of alcohol for consumption on the premises, all  
12 development and construction must conform to the approved plans.

13 4. The site plan approved by this permit shall be the basis for all  
14 interpretations of setbacks, yards, locations of buildings, location of parking and  
15 circulation elements, and similar matters.

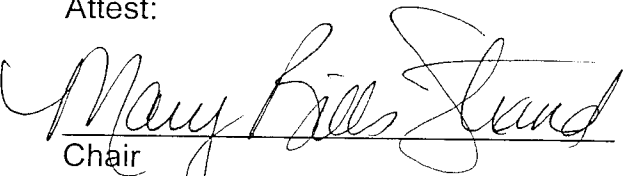
16 5. The terms, conditions, and requirements of this resolution shall be  
17 binding and obligatory upon the Permittee, and Permittee's successors, and assigns.  
18 The building official shall report violations to the City Council which may revoke the  
19 special permit or take such other action as may be necessary to gain compliance.

20 6. The Permittee shall sign and return the City's letter of acceptance  
21 to the City Clerk within 30 days following approval of the special permit, provided,  
22 however, said 30-day period may be extended up to six months by administrative  
23 amendment. The City Clerk shall file a copy of the resolution approving the special

1 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be  
2 paid in advance by the Permittee.

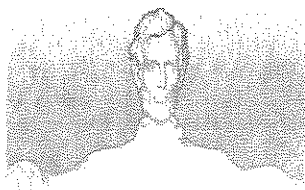
*DATED: MARCH 30, 2005.*

Attest:

  
Chair

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney



CITY OF LINCOLN  
NEBRASKA

# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

**Pine Lake Road Widening Project 700014  
40th to 61st Streets  
56th Street Shadow Pines to Thompson Creek Blvd.  
April 4th, 2005**

The City of Lincoln, has recently awarded a contract for the reconstruction of Pine Lake Road from So. 40<sup>th</sup> Street to approximately So. 61<sup>st</sup> Street and 1/4 mile north and south of the Pine Lake Road and South 56<sup>th</sup> Street intersection to Constructor's Inc. of Lincoln Nebraska. This project will widen the roadways from two lanes to four lanes with a raised median, turn lanes, relocate water mains, some sidewalks, storm sewers, traffic signals and street lights. The project is anticipated to require two years to complete, with the following general phasing for traffic operations:

#### STREETS CLOSED & PHASING

Phase 1 & 3- Pine Lake Rd. So. 40th to Stephanie Lane, starting the week of April 11th, 2005 keeping the intersection of Beaver Creek open for north and south traffic until the intersection can be completed. Access for these areas will be at Stephanie Lane. Completion for this Phasing will be mid December 2005.

Phase 2- The intersection of Pine Lake Road and Beaver Creek will be closed to allow installation of new paving, sidewalks and traffic signals prior to the end of August.

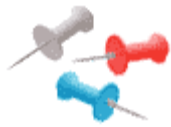
Phase 4- In Pine Lake Road from east of So.56th Street to So.61st Street is anticipated to start in the winter of 2006, with work on the box culvert east of the intersection of 56th followed with the paving of the roadway to 61st St. Anticipated completion of this phase is July, 2006.

Phase 5- This phase in South 56<sup>th</sup> will begin as soon as the work in Pine Lake Road east and west(not through the intersection) of 56<sup>th</sup> can be opened to east/west traffic. Anticipated completion of this phase is December 2006.

This letter is also a reminder that if you have fences or landscaping which you want to save please plan to relocate them as soon as practical to avoid any unwanted damage. The Contractor will not be responsible for items that are within the easements once he starts work. Often work by utility companies and the Contractor's work that does not affect traffic flow may not follow the above described general phasing.

If you have problems or questions during the construction period, please contact; Eric Anderson or Steve Samuelson with Constructors Inc, at 434-1764, or the City of Lincoln project manager for additional information.

Charlie Wilcox  
Senior Engineering Specialist  
Engineering services  
441-7532/440-6067  
[cwilcox@ci.lincoln.ne.gov](mailto:cwilcox@ci.lincoln.ne.gov)



**Diane Mullins**

04/05/2005 11:00 AM

To: info@strictly-biz.com, wstibor2@unl.edu, cmurphy@km3news.com, citydesk@journalstar.com, cathy@threeeagles.com, cberens@unl.edu, commish@co.lancaster.ne.us., djohnson@threeeagles.com, dn@unl.edu, David B Norris/Notes@Notes, deb.shanahan@owh.com, dennis.buckley@lee.net, Diane K Gonzolas/Notes@Notes, NEWS42@KPTM.com, news@mbj.com, gmoore3@unl.edu, jkasmir@hearst.com, jreding@hearst.com, news@kolnkgin.com, joan@lincoln.org, news@broadcasthouse.com, kaciobrien@clearchannel.com, sixonline@wowt.com, KBellman@nebar.com, kdudzik@km3news.com, calendars@journalstar.com, kimw@region5systems.net, lellis@km3news.com, voicenews@inebraska.com, lvanhoosen@klkntv.com, Lincolnkids@diodecom.net, mwells2@unl.edu, strictlybusiness@alltel.net, pam.thompson@lee.net, tn41717@alltel.net, psalter@journalstar.com, desk@kolnkgin.com, krnu@unl.edu, rick.carter@hsfed.org, sonnyvalentine@clearchannel.com, news@kzum.org, timcawley@clearchannel.com, Virginia D Gergen/Notes@Notes, wjacobsen@lincnet.com, Joan V Ray/Notes@Notes

cc:

Subject: WOMEN'S COMMISSION NEWS RELEASE - NACW Participation

3/7/05  
FOR IMMEDIATE RELEASE

CONTACT: Bonnie Coffey  
402.441.8695

**COFFEY REPRESENTS LINCOLN AND LANCASTER COUNTY**  
**AT NATIONAL BOARD MEETING**

Lincoln and Lancaster County were represented at the National Association of Commissions for Women (NACW) winter board meeting held in Washington, DC March 2-6, 2005. Bonnie Coffey serves on the national board as elected Secretary for the association.

NACW's Winter Board meeting traditionally includes a Legislative Luncheon on Capitol Hill, sponsored this year by Senator Orrin G. Hatch of Utah. The luncheon was held in the Dirksen Senate Building and featured comments from Senator Hatch, Congresswoman Shelley Moore Capito of West Virginia, Lisa Maatz, Director of Public Policy and Government Relations with American Association of University Women, and Debbie Chalfie of the National Women's Law Center. Attendees received information on homeland security, social security, education and pay equity.

Directors also toured the White House and received a White House Briefing with Holly Kuzmich, Associate Director, Domestic Policy Council; Debbie Stuart with the Office of Violence Against Women; and Alice Wade, Deputy Chief Actuary, Long Range with the Social Security Administration.

Board agenda topics included updates and discussion of the organization's strategic plan and reports from standing committees. Also included was information on NACW's national convention scheduled for July 13-17, 2005 at the Eden Roc Resort and Spa in Miami, Florida.

The National Association of Commissions for Women is a nonpartisan professional membership organization composed of regional, state, county and local commissions created by government to improve the status of women. NACW is committed to equality and justice for women by increasing the effectiveness

of member commissions and serving as their national voice.

In 1961, President John F. Kennedy established the President's Commission on the Status of Women. Eleanor Roosevelt was the chair and Esther Peterson of the Women's Bureau, U.S. Department of Labor, was vice-chair. The Commission produced a report containing the recommendation that each state form a similar commission. Today, there are approximately 270 state, county and local commissions for women located in the United States and its territories.

These commissions are advocates for equality and justice for women, serving their communities in a variety of ways. Some maintain shelters for abused women, others have tutorial programs for teens and adults, others testify before their legislators on issues that impact women and their families. Each commission functions independently, but works with NACW to provide national leadership and focus on their collective concerns. Member Commissions for Women, through NACW, keep the needs of women at the forefront of laws, policies, practices, and promote the improvement of the status of women

NACW officers include: President, Ruth Jackson of the Utah Governors Commission for Women and Families; Vice President, Agnes Roseboro of the Greensboro (NC) Commission on the Status of Women; Secretary, Bonnie Coffey, Director of the Lincoln-Lancaster (NE) Women's Commission; and Donna Kreiser, Esq. with the Pennsylvania Commission for Women. Those serving on the Board of Directors include: Blanca Bichara (Florida Commission on the Status of Women), Ossie Clay (Maryland Commission for Women), Barbara DeBaptiste (Connecticut Permanent Commission on the Status of Women), María Hernández (City of Austin [TX] Commission for Women), Cynthia Chávez Kelly (Wyoming Council for Women's Issues), Barbara Albu Lehman (New Jersey Division on Women), Patricia Presley (Oklahoma Commission for Women), Robin Stultz (West Virginia Commission for Women), Carol Walker (Utah Commission for Women and Families), Linda Richardson Wilson (Greensboro [NC] Commission on the Status of Women), Glenda R. Woods (Kentucky Commission on Women), Cecilia Zamora (Marin County [CA] Women's Commission) and Kelly Sciba (Florida Commission on the Status of Women) as Host Convention Director. Mary E. Watkins (Gary [IN] Commission on the Status of Women) is Immediate Past President.

Brenda Fowler is NACW's Executive Director and can be reached at 800.338.9267.



# NEWS RELEASE

MAYOR COLEEN J. SENG



[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln-Lancaster Women's Commission 440 S. 8th St., Ste. 100 Lincoln NE 68508-2294 402/441-7716 FAX 402/441-6824

FOR IMMEDIATE RELEASE: April 6, 2005

FOR MORE INFORMATION:

Larry Williams, director, 402/441-8691

Commission on Human Rights

Bonnie Coffey, director, 402/441-8695

Lincoln-Lancaster Women's Commission

## **CITY COUNCIL AND SCHOOL BOARD CANDIDATES= FORUM HELD AT MALONE**

The public is invited to attend a City Council and School Board Candidates= Forum on Thursday, April 21, 2005 at the Malone Community Center, 2032 U Street. All City Council and School Board finalists from the primary election have been invited to attend. The forum will start at 7:00 p.m. and conclude at 9:00 p.m.

Sponsors of the forum are the Lincoln Chapter of the National Association for the Advancement of Colored People (NAACP), the Lincoln-Lancaster Women's Commission (LLWC), Center for People in Need and the National Council of Negro Women.

The forum will be moderated by Ms. Sandi Moody and Mr. Jimmi Smith, who are members of the NAACP Executive Committee. The candidates will be allowed opening statements of two minutes followed by questions from the audience, which will be submitted via note cards and read by the moderators. Candidates will have one minute to answer each question. At the end of the forum, each candidate will then be provided two minutes for a closing statement.

Candidates will have campaign materials available for display and distribution at the debate site. Audience members are asked not to wear or display items indicating support of a particular candidate in the forum area.

Since there is construction in the area of the Malone Center, and parking is limited, we advise the public to come early and enter the Malone Center area by traveling eastbound on Vine Street from 17th Street, and turn south, or right, on 21st Street.

If you have any questions or for more information, please contact the NAACP Political Forum Coordinator, Larry Williams, at 402-440-7891 or e-mail him at [lincolnlair@aol.com](mailto:lincolnlair@aol.com); Or, contact LLWC at 441-7716 or e-mail at [llwc@lincoln.ne.gov](mailto:llwc@lincoln.ne.gov).

# Memo

**To:** Patte Newman, City Council

**From:** Don Herz, Finance Director

**CC:** City Council  
Mayor's Office

**Date:** April 5, 2005

**Re:** RFI #33

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In your RFI #33, dated March 21, 2005, you have requested information about the outstanding bonds/debt of the City, including the Public Building Commission. You have also requested information on debt service ratios and a comparison to other sized cities.

I have attached several schedules from our most recent **Debt Service Profile** for both the City and the Building Commission. In addition, I have provided a comparison of Lincoln with all the other AAA rated cities that Standard and Poor's (S&P) monitors.

Following are some brief comments about each type of outstanding bonds:

**General Obligation Supported by Taxes.** This is the primary type of bond that is supported by tax dollars. This amount includes the \$35 million of highway allocation bonds because they are backstopped by property taxes. If this is subtracted from the \$89.65 million, there is a total of \$54.65 million of outstanding voter approved General Obligation bonds paid with property taxes. As you recall, the highway allocation bonds are paid from the street construction fund.

**Municipal Infrastructure Redevelopment Bonds.** These are the bonds used to build the "F" Street Recreation Center. The outstanding bonds will be paid off at the time this funding source from the State is scheduled to sunset. There are no property tax dollars used to repay these bonds.

**Tax Allocation Bonds.** These are the bonds used to fund projects in blighted areas. The bonds are paid from the tax increment financing (TIF). There are no property taxes used to repay these bonds other than the new incremental tax from the projects.

**Special Assessment Bonds.** The City currently does not have any of these types of bonds outstanding. The bonds that were previously outstanding were retired last year.



**Certificates of Participation – Lease Rentals.** This obligation was incurred to purchase various equipment needs. Approximately \$2 million of the \$3 million outstanding is paid from the general fund as a lease payment. The general fund equipment includes 911 equipment and the recent fire engine purchases.

**Tax-Supported Revenue Bonds.** – These bonds were issued to pay for certain Antelope Valley projects. The State of Nebraska has pledged \$1 million of cigarette and general funds through 2017 to pay for these bonds. There are no city property tax dollars used to repay these bonds.

**Water Revenue** – These bonds are used to pay for capital improvements in the water enterprise fund. There are no city property tax dollars used to repay these bonds. You should note that the debt amortization schedule drops significantly in 2013.

**Sewer Revenue** – These bonds are used to pay for capital improvements in the wastewater enterprise fund. There are no city property tax dollars used to repay these bonds.

**Golf Course Revenue** – These bonds were issued to build the Highlands golf course. These bonds are paid from the golf enterprise fund, although the City has pledged to pay any shortfall from general operating funds. There are no city property tax dollars currently used to repay these bonds.

**Parking Revenue** – These bonds were issued to build various parking garages in downtown Lincoln. These bonds are repaid from parking garage revenues and on-street parking meter revenues. The Street fund is a backstop in the event of a shortfall. There are no city property tax dollars used to repay these bonds.

**Building Commission Revenue Bonds** – These bonds have been issued by the Public Building Commission to construct the buildings at the City County Complex, including the parking structure and improvements to the K Street building. It also includes bonds to construct the improvements to the Health Department Building. These bonds are primarily paid from the 1.7 cent tax levy the Building Commission is authorized to levy. Any debt not covered by this levy is paid equally by the City and County in the form of rental payments. Most of the outstanding debt is covered by the Building Commission's tax levy.

**S&P Comparison** – Attached as page 1, is an analysis of all the AAA rated cities as of their latest comparison. As you can see from this comparison, Lincoln rates favorably in many of the items that they compare. I have highlighted the amount of current general obligation debt as a percentage of our total tax supported budget. Lincoln taxpayers currently pay approximately five percent of their property taxes to service our outstanding general obligation debt. The column to the far right is also of interest. This column lists the overall debt per capita for all taxing entities. In Lincoln, all taxing entities (city, county, schools, NRD, etc.) have imposed approximately \$1,047 of debt per person. This compares favorably with the median of \$2,443 for all of the AAA rated cities.

Patte Newman  
April 5, 2005

If you have any questions please let me know. I would also be willing to further discuss the information at a pre council along with our financial advisors from Ameritas.

# S&P Annual Review of 'AAA' Rated Municipalities 2003

| City               | State     | Population | Per Capita<br>EBI as %<br>of US | Total Market<br>Value | Per Capita<br>Market<br>Value | General<br>Fund<br>Balance<br>% | Unreserve<br>d Fund<br>Balance % | Current<br>Debt<br>Service as<br>% of Total<br>Exp | Overall<br>Debt as %<br>of Market<br>Value | Overall<br>Debt Per<br>Capita |
|--------------------|-----------|------------|---------------------------------|-----------------------|-------------------------------|---------------------------------|----------------------------------|----------------------------------------------------|--------------------------------------------|-------------------------------|
| Cerritos           | CA        | 53,100     | 111                             | 4,900,000             | 92,279                        | 233.0                           | 211.0                            | 1.0                                                | 1.1                                        | 1,019                         |
| Scottsdale         | AZ        | 202,705    | 189                             | 24,790,147            | 122,297                       | 43.0                            | 41.0                             | 2.0                                                | 2.7                                        | 3,284                         |
| Town & Country     | MO        | 10,894     | 336                             | 2,281,929             | 209,467                       | 156.0                           | 156.0                            | 2.0                                                | 1.7                                        | 3,485                         |
| Greenwich          | CT        | 61,101     | 295                             | 26,591,602            | 435,207                       | 7.0                             | -                                | 2.0                                                | 0.2                                        | 694                           |
| Palo Alto          | CA        | 60,835     | 245                             | 11,609,915            | 190,843                       | 59.0                            | 51.0                             | 3.0                                                | 2.0                                        | 3,835                         |
| Alexandria         | VA        | 128,283    | 165                             | 14,632,473            | 114,064                       | 34.0                            | 34.0                             | 3.0                                                | 1.2                                        | 1,319                         |
| Charlottesville    | VA        | 40,999     | 89                              | 2,896,033             | 70,637                        | 18.0                            | 16.0                             | 4.0                                                | 1.4                                        | 979                           |
| Ridgewood Village  | NJ        | 24,936     | 231                             | 3,839,567             | 153,977                       | 22.0                            | 10.0                             | 4.0                                                | 1.1                                        | 1,664                         |
| Coral Gables       | FL        | 42,900     | 204                             | 6,465,849             | 128,911                       | 6.0                             | 5.0                              | 4.0                                                | 0.8                                        | 1,241                         |
| Palm Beach         | FL        | 9,676      | 440                             | 8,152,038             | 842,501                       | 47.0                            | 45.0                             | 4.0                                                | 0.5                                        | 4,242                         |
| Cambridge          | MA        | 101,355    | 148                             | 18,050,952            | 178,096                       | 16.0                            | 11.0                             | 4.0                                                | 0.4                                        | 705                           |
| Manhattan Beach    | CA        | 33,850     | 248                             | 6,365,175             | 188,041                       | 49.0                            | 46.0                             | 4.8                                                | 2.1                                        | 3,947                         |
| Santa Monica       | CA        | 87,954     | 184                             | 13,491,852            | 153,397                       | 81.0                            | 24.0                             | 5.0                                                | 2.7                                        | 2,804                         |
| Rochester          | MN        | 88,858     | 118                             | 4,573,648             | 51,471                        | 41.0                            | 40.0                             | 5.0                                                | 2.3                                        | 1,186                         |
| Lincoln            | NE        | 231,800    | 104                             | 11,130,588            | 48,018                        | 41.0                            | 40.0                             | 5.0                                                | 2.2                                        | 1,047                         |
| Millburn Twp       | NJ        | 19,765     | 288                             | 4,311,445             | 218,135                       | 33.0                            | 18.0                             | 5.0                                                | 1.9                                        | 334                           |
| Cary               | NC        | 104,214    | 156                             | 10,908,711            | 104,676                       | 99.0                            | 82.0                             | 5.0                                                | 1.9                                        | 2,029                         |
| Princeton Twp      | NJ        | 16,027     | 238                             | 2,318,818             | 144,682                       | 15.0                            | 11.0                             | 6.0                                                | 2.3                                        | 3,386                         |
| Overland           | KS        | 162,592    | 155                             | 14,393,642            | 88,526                        | 48.0                            | 44.0                             | 7.0                                                | 3.4                                        | 2,972                         |
| Hinsdale           | IL        | 17,349     | 284                             | 2,896,405             | 166,949                       | 48.0                            | 42.0                             | 7.0                                                | 2.9                                        | 4,840                         |
| Ridgefield         | CT        | 23,920     | 263                             | 5,729,720             | 239,537                       | 10.0                            | 9.0                              | 7.0                                                | 2.6                                        | 6,194                         |
| Fairfield          | CT        | 57,340     | 226                             | 10,403,152            | 181,429                       | 9.0                             | 8.0                              | 7.0                                                | 2.1                                        | 3,870                         |
| Troy               | MI        | 80,959     | 179                             | 11,911,394            | 147,129                       | 44.0                            | 37.0                             | 7.0                                                | 1.7                                        | 2,460                         |
| Wellesley          | MA        | 26,613     | 218                             | 7,189,273             | 270,141                       | 7.0                             | 2.0                              | 7.0                                                | 0.6                                        | 1,497                         |
| Needham            | MA        | 28,911     | 182                             | 5,457,974             | 188,785                       | 13.0                            | 8.0                              | 7.0                                                | 0.5                                        | 928                           |
| West Hartford      | CT        | 61,045     | 174                             | 5,163,970             | 83,547                        | 8.0                             | 8.0                              | 8.0                                                | 1.9                                        | 1,680                         |
| Stamford           | CT        | 117,083    | 198                             | 15,511,630            | 132,484                       | 2.0                             | -                                | 8.0                                                | 1.9                                        | 2,557                         |
| Raleigh            | NC        | 276,093    | 122                             | 27,938,392            | 101,192                       | 47.0                            | 38.0                             | 8.0                                                | 1.8                                        | 1,799                         |
| Norwalk            | CT        | 83,316     | 168                             | 12,327,978            | 147,967                       | 7.0                             | 7.0                              | 8.0                                                | 1.5                                        | 2,230                         |
| Dover              | MA        | 5,558      | 250                             | 1,718,511             | 309,196                       | 24.0                            | 18.0                             | 8.0                                                | 0.8                                        | 2,476                         |
| Naperville         | IL        | 128,358    | 179                             | 11,935,443            | 92,986                        | 37.0                            | 32.0                             | 9.0                                                | 3.1                                        | 2,922                         |
| Northbrook Village | IL        | 33,435     | 241                             | 5,313,313             | 158,915                       | 45.0                            | 40.0                             | 9.0                                                | 2.8                                        | 4,436                         |
| Seattle            | WA        | 563,374    | 163                             | 75,506,592            | 134,026                       | 20.0                            | 6.0                              | 9.0                                                | 1.9                                        | 2,550                         |
| Greensboro         | NC        | 223,891    | 113                             | 16,972,650            | 75,808                        | 31.0                            | 16.0                             | 9.0                                                | 1.5                                        | 1,120                         |
| Avon               | CT        | 16,314     | 211                             | 2,391,551             | 146,595                       | 10.0                            | 9.0                              | 9.0                                                | 0.9                                        | 1,276                         |
| Durham             | NC        | 194,405    | 103                             | 14,358,250            | 73,857                        | 16.0                            | 10.0                             | 10.0                                               | 3.5                                        | 2,609                         |
| Birmingham         | MI        | 19,291     | 314                             | 4,134,446             | 214,320                       | 24.0                            | 19.0                             | 10.0                                               | 2.6                                        | 5,615                         |
| Winston-Salem      | NC        | 185,776    | 104                             | 14,821,500            | 79,782                        | 20.0                            | 13.0                             | 10.0                                               | 2.2                                        | 1,706                         |
| Bedford Twn        | NY        | 18,133     | 169                             | 3,953,742             | 218,041                       | 25.0                            | 24.0                             | 10.0                                               | 1.1                                        | 2,426                         |
| Irving             | TX        | 194,407    | 144                             | 14,589,186            | 75,045                        | 19.0                            | 16.0                             | 12.0                                               | 6.6                                        | 4,942                         |
| Bloomington        | MN        | 85,172     | 150                             | 9,608,215             | 104,472                       | 37.0                            | 37.0                             | 12.0                                               | 2.4                                        | 2,484                         |
| Lower Merion Twp   | PA        | 59,850     | 288                             | 8,525,534             | 142,448                       | 28.0                            | 27.0                             | 12.0                                               | 2.1                                        | 3,029                         |
| Summit             | NJ        | 21,131     | 274                             | 4,203,149             | 198,909                       | 37.0                            | 27.0                             | 12.0                                               | 2.0                                        | 3,968                         |
| Mountain View      | CA        | 71,610     | 176                             | 10,899,895            | 152,212                       | 105.0                           | 77.0                             | 12.0                                               | 1.5                                        | 1,999                         |
| Weston             | MA        | 11,469     | 333                             | 3,898,856             | 339,947                       | 10.0                            | 3.0                              | 12.0                                               | 1.3                                        | 4,555                         |
| Harrison Village   | NY        | 24,154     | 220                             | 6,461,258             | 267,503                       | 26.0                            | 25.0                             | 12.0                                               | 0.9                                        | 2,272                         |
| Dallas             | TX        | 1,203,050  | 120                             | 66,483,637            | 55,263                        | 10.0                            | 9.0                              | 14.0                                               | 2.9                                        | 1,610                         |
| Roswell            | GA        | 79,334     | 174                             | 8,105,687             | 102,172                       | 60.0                            | 43.0                             | 15.0                                               | 1.9                                        | 1,908                         |
| Bernards Twp       | NJ        | 24,575     | 250                             | 4,705,385             | 191,470                       | 40.0                            | 35.0                             | 15.0                                               | 1.8                                        | 3,359                         |
| Westlake           | OH        | 31,719     | 173                             | 2,938,968             | 92,656                        | 132.0                           | 90.0                             | 17.0                                               | 2.6                                        | 2,382                         |
| Boca Raton         | FL        | 74,764     | 220                             | 11,614,994            | 155,355                       | 29.0                            | 28.0                             | 17.0                                               | 1.9                                        | 2,925                         |
| Sudbury            | MA        | 16,841     | 234                             | 3,068,276             | 182,191                       | 10.0                            | 5.0                              | 17.0                                               | 1.7                                        | 3,028                         |
| Columbus           | OH        | 711,470    | 100                             | 38,038,582            | 53,465                        | 11.0                            | 9.0                              | 18.0                                               | 3.8                                        | 2,012                         |
| Plano              | TX        | 236,539    | 188                             | 20,194,220            | 85,374                        | 16.0                            | 14.0                             | 19.0                                               | 4.8                                        | 4,077                         |
| Bloomfield Hills   | MI        | 3,940      | 454                             | 1,608,346             | 408,210                       | 46.0                            | 45.0                             | 21.0                                               | 1.1                                        | 4,596                         |
| Glencoe Village    | IL        | 8,762      | 420                             | 1,534,173             | 175,094                       | 28.0                            | 23.0                             | 22.0                                               | 4.1                                        | 7,190                         |
| Omaha              | NE        | 390,007    | 110                             | 18,980,655            | 48,667                        | 9.0                             | 5.0                              | 22.0                                               | 4.1                                        | 1,984                         |
| Edina              | MN        | 47,425     | 237                             | 7,133,201             | 150,410                       | 70.0                            | 68.0                             | 22.0                                               | 1.6                                        | 2,387                         |
| Charlotte          | NC        | 604,676    | 125                             | 60,887,128            | 100,694                       | 27.0                            | 16.0                             | 23.0                                               | 2.7                                        | 2,679                         |
| Indianapolis       | IN        | 791,926    | 105                             | 28,479,434            | 35,962                        | 45.0                            | 40.0                             | 24.0                                               | 4.4                                        | 1,567                         |
| St Paul            | MN        | 287,260    | 104                             | 15,532,000            | 54,069                        | 26.0                            | 23.0                             | 24.0                                               | 4.0                                        | 2,178                         |
| Minneapolis        | MN        | 382,618    | 114                             | 25,871,985            | 67,618                        | 20.0                            | 20.0                             | 24.0                                               | 4.0                                        | 2,701                         |
| Germantown         | TN        | 39,279     | 196                             | 3,863,671             | 98,365                        | 58.0                            | 49.0                             | 25.0                                               | 2.2                                        | 2,168                         |
| Average            | (Mean)    | 143,571    | 202                             | 13,088,360            | 159,293                       | 38                              | 31                               | 11                                                 | 2.00                                       | 2,657                         |
| Standard           | Deviation | 218,074    | 79                              | 14,650,744            | 121,077                       | 39                              | 35                               | 6.5                                                | 1.17                                       | 1,279                         |
| Median             |           | 61,073     | 182                             | 9,066,875             | 143,565                       | 28                              | 24                               | 9                                                  | 1.94                                       | 2,443                         |

# City of Lincoln, Nebraska

## General Obligation Supported by Taxes

| Period Ending | Principal           | Interest               | Total                   |
|---------------|---------------------|------------------------|-------------------------|
| 8/31/05       | 3,850,000           | 4,015,908.41           | \$7,865,908.41          |
| 8/31/06       | 3,870,000           | 3,632,043.76           | \$7,502,043.76          |
| 8/31/07       | 3,535,000           | 3,497,113.76           | \$7,032,113.76          |
| 8/31/08       | 3,835,000           | 3,366,635.01           | \$7,201,635.01          |
| 8/31/09       | 4,330,000           | 3,224,342.51           | \$7,554,342.51          |
| 8/31/10       | 4,130,000           | 3,068,453.14           | \$7,198,453.14          |
| 8/31/11       | 4,530,000           | 2,899,276.26           | \$7,429,276.26          |
| 8/31/12       | 5,025,000           | 2,695,444.38           | \$7,720,444.38          |
| 8/31/13       | 4,950,000           | 2,476,687.50           | \$7,426,687.50          |
| 8/31/14       | 5,150,000           | 2,252,436.25           | \$7,402,436.25          |
| 8/31/15       | 5,360,000           | 2,014,772.50           | \$7,374,772.50          |
| 8/31/16       | 5,420,000           | 1,762,313.75           | \$7,182,313.75          |
| 8/31/17       | 5,400,000           | 1,510,968.14           | \$6,910,968.14          |
| 8/31/18       | 5,665,000           | 1,265,269.39           | \$6,930,269.39          |
| 8/31/19       | 5,270,000           | 1,023,048.76           | \$6,293,048.76          |
| 8/31/20       | 3,805,000           | 786,460.01             | \$4,591,460.01          |
| 8/31/21       | 3,975,000           | 619,550.01             | \$4,594,550.01          |
| 8/31/22       | 4,160,000           | 440,231.26             | \$4,600,231.26          |
| 8/31/23       | 4,355,000           | 248,787.50             | \$4,603,787.50          |
| 8/31/24       | 3,035,000           | 68,287.50              | \$3,130,287.50          |
| <b>Totals</b> | <b>\$89,650,000</b> | <b>\$40,868,029.80</b> | <b>\$130,545,029.80</b> |

## Municipal Infrastructure Redevelopment Bonds

| Period Ending | Principal          | Interest            | Total                 |
|---------------|--------------------|---------------------|-----------------------|
| 8/31/05       | 320,000            | 105,580.00          | \$425,580.00          |
| 8/31/06       | 335,000            | 89,580.00           | \$424,580.00          |
| 8/31/07       | 355,000            | 72,830.00           | \$427,830.00          |
| 8/31/08       | 370,000            | 55,080.00           | \$425,080.00          |
| 8/31/09       | 710,000            | 36,210.00           | \$746,210.00          |
| <b>Totals</b> | <b>\$2,090,000</b> | <b>\$359,280.00</b> | <b>\$2,449,280.00</b> |

# City of Lincoln, Nebraska

## Tax Allocation Bonds

| Period Ending | Principal          | Interest              | Total                 |
|---------------|--------------------|-----------------------|-----------------------|
| 8/31/05       | 370,000            | 279,651.13            | \$649,651.13          |
| 8/31/06       | 480,000            | 231,007.50            | \$711,007.50          |
| 8/31/07       | 485,000            | 217,732.50            | \$702,732.50          |
| 8/31/08       | 500,000            | 204,182.50            | \$704,182.50          |
| 8/31/09       | 530,000            | 188,657.50            | \$718,657.50          |
| 8/31/10       | 555,000            | 170,251.25            | \$725,251.25          |
| 8/31/11       | 575,000            | 149,645.00            | \$724,645.00          |
| 8/31/12       | 625,000            | 126,237.50            | \$751,237.50          |
| 8/31/13       | 485,000            | 102,767.50            | \$587,767.50          |
| 8/31/14       | 515,000            | 79,752.50             | \$594,752.50          |
| 8/31/15       | 540,000            | 54,825.00             | \$594,825.00          |
| 8/31/16       | 875,000            | 21,000.00             | \$896,000.00          |
| <b>Totals</b> | <b>\$6,535,000</b> | <b>\$1,825,709.88</b> | <b>\$8,360,709.88</b> |

## Special Assessment Bonds

Period Ending      Principal      Interest      Total

# City of Lincoln, Nebraska

## Certificates of Participation - Lease Rentals

| Period Ending | Principal          | Interest            | Total                 |
|---------------|--------------------|---------------------|-----------------------|
| 8/31/05       | 275,000            | 94,049.58           | \$369,049.58          |
| 8/31/06       | 450,000            | 86,191.25           | \$536,191.25          |
| 8/31/07       | 425,000            | 73,732.50           | \$498,732.50          |
| 8/31/08       | 445,000            | 60,663.75           | \$505,663.75          |
| 8/31/09       | 250,000            | 50,270.00           | \$300,270.00          |
| 8/31/10       | 190,000            | 43,145.00           | \$233,145.00          |
| 8/31/11       | 195,000            | 37,350.00           | \$232,350.00          |
| 8/31/12       | 200,000            | 30,915.00           | \$230,915.00          |
| 8/31/13       | 205,000            | 24,015.00           | \$229,015.00          |
| 8/31/14       | 215,000            | 16,532.50           | \$231,532.50          |
| 8/31/15       | <u>220,000</u>     | <u>8,470.00</u>     | <u>\$228,470.00</u>   |
| <b>TOTALS</b> | <b>\$3,070,000</b> | <b>\$525,334.58</b> | <b>\$3,595,334.58</b> |

Period Ending      Principal      Interest      Total

5

# City of Lincoln, Nebraska

## Tax-Supported Revenue Bonds

| Period Ending | Principal           | Interest         | Total               |
|---------------|---------------------|------------------|---------------------|
| 8/31/05       | 565,000.00          | 423,615.00       | 988,615.00          |
| 8/31/06       | 580,000.00          | 408,997.50       | 988,997.50          |
| 8/31/07       | 595,000.00          | 391,655.00       | 986,655.00          |
| 8/31/08       | 615,000.00          | 371,977.50       | 986,977.50          |
| 8/31/09       | 635,000.00          | 349,933.75       | 984,933.75          |
| 8/31/10       | 660,000.00          | 325,640.00       | 985,640.00          |
| 8/31/11       | 685,000.00          | 299,235.00       | 984,235.00          |
| 8/31/12       | 710,000.00          | 270,980.00       | 980,980.00          |
| 8/31/13       | 740,000.00          | 237,925.00       | 977,925.00          |
| 8/31/14       | 780,000.00          | 199,925.00       | 979,925.00          |
| 8/31/15       | 815,000.00          | 162,087.50       | 977,087.50          |
| 8/31/16       | 855,000.00          | 122,375.00       | 977,375.00          |
| 8/31/17       | <u>2,020,000.00</u> | <u>50,500.00</u> | <u>2,070,500.00</u> |
| Totals        | \$10,255,000.00     | \$3,614,846.25   | \$13,869,846.25     |

City of Lincoln, Nebraska

Tax Supported Revenue

| Period Ending | Principal        | Interest         | Total                 |
|---------------|------------------|------------------|-----------------------|
| 8/31/2005     | 565,000          | 423,615.00       | \$988,615.00          |
| 8/31/2006     | 580,000          | 408,997.50       | \$988,997.50          |
| 8/31/2007     | 595,000          | 391,655.00       | \$986,655.00          |
| 8/31/2008     | 615,000          | 371,977.50       | \$986,977.50          |
| 8/31/2009     | 635,000          | 349,933.75       | \$984,933.75          |
| 8/31/2010     | 660,000          | 325,640.00       | \$985,640.00          |
| 8/31/2011     | 685,000          | 299,235.00       | \$984,235.00          |
| 8/31/2012     | 710,000          | 270,980.00       | \$980,980.00          |
| 8/31/2013     | 740,000          | 237,925.00       | \$977,925.00          |
| 8/31/2014     | 780,000          | 199,925.00       | \$979,925.00          |
| 8/31/2015     | 815,000          | 162,087.50       | \$977,087.50          |
| 8/31/2016     | 855,000          | 122,375.00       | \$977,375.00          |
| 8/31/2017     | <u>2,020,000</u> | <u>50,500.00</u> | <u>\$2,070,500.00</u> |
| Totals        | \$10,255,000     | \$3,614,846.25   | \$13,869,846.25       |

Water Revenue

| Period Ending | Principal        | Interest          | Total                 |
|---------------|------------------|-------------------|-----------------------|
| 8/31/2005     | 4,895,000        | 3,517,931.77      | \$8,412,931.77        |
| 8/31/2006     | 5,130,000        | 3,834,301.26      | \$8,964,301.26        |
| 8/31/2007     | 5,340,000        | 3,612,001.26      | \$8,952,001.26        |
| 8/31/2008     | 5,555,000        | 3,376,201.26      | \$8,931,201.26        |
| 8/31/2009     | 5,795,000        | 3,128,413.76      | \$8,923,413.76        |
| 8/31/2010     | 6,050,000        | 2,873,676.26      | \$8,923,676.26        |
| 8/31/2011     | 6,310,000        | 2,602,526.26      | \$8,912,526.26        |
| 8/31/2012     | 5,380,000        | 2,315,308.76      | \$7,695,308.75        |
| 8/31/2013     | 2,845,000        | 2,057,933.76      | \$4,902,933.76        |
| 8/31/2014     | 2,950,000        | 1,926,243.76      | \$4,876,243.76        |
| 8/31/2015     | 3,065,000        | 1,783,743.76      | \$4,848,743.76        |
| 8/31/2016     | 3,190,000        | 1,633,106.26      | \$4,823,106.26        |
| 8/31/2017     | 3,325,000        | 1,473,606.26      | \$4,798,606.26        |
| 8/31/2018     | 3,465,000        | 1,307,356.26      | \$4,772,356.26        |
| 8/31/2019     | 3,615,000        | 1,134,106.26      | \$4,749,106.26        |
| 8/31/2020     | 3,775,000        | 953,356.26        | \$4,728,356.26        |
| 8/31/2021     | 3,955,000        | 764,606.26        | \$4,719,606.26        |
| 8/31/2022     | 4,140,000        | 586,056.26        | \$4,726,056.26        |
| 8/31/2023     | 2,800,000        | 395,775.00        | \$3,195,775.00        |
| 8/31/2024     | 2,930,000        | 269,775.00        | \$3,199,775.00        |
| 8/31/2025     | <u>3,065,000</u> | <u>137,925.00</u> | <u>\$3,202,925.00</u> |
| Total         | \$87,575,000     | \$39,683,950.69   | \$127,258,950.68      |



# City of Lincoln, Nebraska

## Sewer Revenue

| Period Ending | Principal           | Interest               | Total                  |
|---------------|---------------------|------------------------|------------------------|
| 8/31/2005     | 1,500,000           | 2,403,518.76           | \$3,903,518.76         |
| 8/31/2006     | 1,520,000           | 2,358,518.76           | \$3,878,518.76         |
| 8/31/2007     | 1,545,000           | 2,312,918.76           | \$3,857,918.76         |
| 8/31/2008     | 1,580,000           | 2,274,293.76           | \$3,854,293.76         |
| 8/31/2009     | 1,620,000           | 2,234,793.76           | \$3,854,793.76         |
| 8/31/2010     | 1,660,000           | 2,186,193.76           | \$3,846,193.76         |
| 8/31/2011     | 1,710,000           | 2,103,193.76           | \$3,813,193.76         |
| 8/31/2012     | 1,770,000           | 2,043,343.76           | \$3,813,343.76         |
| 8/31/2013     | 1,825,000           | 1,976,968.76           | \$3,801,968.76         |
| 8/31/2014     | 1,890,000           | 1,903,968.76           | \$3,793,968.76         |
| 8/31/2015     | 1,960,000           | 1,809,468.76           | \$3,769,468.76         |
| 8/31/2016     | 2,035,000           | 1,711,468.76           | \$3,746,468.76         |
| 8/31/2017     | 2,115,000           | 1,609,718.76           | \$3,724,718.76         |
| 8/31/2018     | 2,200,000           | 1,503,968.76           | \$3,703,968.76         |
| 8/31/2019     | 2,290,000           | 1,393,968.76           | \$3,683,968.76         |
| 8/31/2020     | 2,395,000           | 1,279,468.76           | \$3,674,468.76         |
| 8/31/2021     | 2,505,000           | 1,159,718.76           | \$3,664,718.76         |
| 8/31/2022     | 2,620,000           | 1,034,468.76           | \$3,654,468.76         |
| 8/31/2023     | 2,745,000           | 903,468.76             | \$3,648,468.76         |
| 8/31/2024     | 2,870,000           | 766,218.76             | \$3,636,218.76         |
| 8/31/2025     | 3,005,000           | 633,481.26             | \$3,638,481.26         |
| 8/31/2026     | 3,145,000           | 494,500.00             | \$3,639,500.00         |
| 8/31/2027     | 3,295,000           | 337,250.00             | \$3,632,250.00         |
| 8/31/2028     | <u>3,450,000</u>    | <u>172,500.00</u>      | <u>\$3,622,500.00</u>  |
| <b>Total</b>  | <b>\$53,250,000</b> | <b>\$36,607,381.46</b> | <b>\$89,857,381.46</b> |

## Golf Course Revenue

| Period Ending | Principal          | Interest            | Total                 |
|---------------|--------------------|---------------------|-----------------------|
| 8/31/2005     | 295,000            | 83,822.50           | \$378,822.50          |
| 8/31/2006     | 305,000            | 74,972.50           | \$379,972.50          |
| 8/31/2007     | 315,000            | 65,060.00           | \$380,060.00          |
| 8/31/2008     | 325,000            | 54,035.00           | \$379,035.00          |
| 8/31/2009     | 335,000            | 41,847.50           | \$376,847.50          |
| 8/31/2010     | 350,000            | 28,782.50           | \$378,782.50          |
| 8/31/2011     | <u>365,000</u>     | <u>14,782.50</u>    | <u>\$379,782.50</u>   |
| <b>Total</b>  | <b>\$2,290,000</b> | <b>\$363,302.50</b> | <b>\$2,653,302.50</b> |

8

# City of Lincoln, Nebraska

## Parking Revenue

| Period Ending | Principal       | Interest       | Total           | Period Ending | Principal | Interest | Total |
|---------------|-----------------|----------------|-----------------|---------------|-----------|----------|-------|
| 8/31/2005     | 1,140,000       | 850,501.26     | \$1,990,501.26  |               |           |          |       |
| 8/31/2006     | 1,185,000       | 799,931.26     | \$1,984,931.26  |               |           |          |       |
| 8/31/2007     | 1,240,000       | 746,373.76     | \$1,986,373.76  |               |           |          |       |
| 8/31/2008     | 1,305,000       | 687,193.76     | \$1,992,193.76  |               |           |          |       |
| 8/31/2009     | 1,360,000       | 624,393.76     | \$1,984,393.76  |               |           |          |       |
| 8/31/2010     | 1,435,000       | 558,518.76     | \$1,993,518.76  |               |           |          |       |
| 8/31/2011     | 1,510,000       | 484,368.76     | \$1,994,368.76  |               |           |          |       |
| 8/31/2012     | 1,590,000       | 406,025.00     | \$1,996,025.00  |               |           |          |       |
| 8/31/2013     | 1,675,000       | 323,056.26     | \$1,998,056.26  |               |           |          |       |
| 8/31/2014     | 1,925,000       | 235,650.00     | \$2,160,650.00  |               |           |          |       |
| 8/31/2015     | 330,000         | 134,543.76     | \$464,543.76    |               |           |          |       |
| 8/31/2016     | 345,000         | 118,868.76     | \$463,868.76    |               |           |          |       |
| 8/31/2017     | 360,000         | 102,050.00     | \$462,050.00    |               |           |          |       |
| 8/31/2018     | 380,000         | 84,050.00      | \$464,050.00    |               |           |          |       |
| 8/31/2019     | 400,000         | 64,575.00      | \$464,575.00    |               |           |          |       |
| 8/31/2020     | 420,000         | 44,075.00      | \$464,075.00    |               |           |          |       |
| 8/31/2021     | 440,000         | 22,550.00      | \$462,550.00    |               |           |          |       |
| Total         | \$17,040,000.00 | \$6,286,725.10 | \$23,326,725.10 |               |           |          |       |

# Lincoln-Lancaster, Nebraska

## Building Commission Revenue Bonds

| Period Ending | Principal              | Interest               | Total                  |
|---------------|------------------------|------------------------|------------------------|
| 6/30/05       | 1,105,000.00           | 2,308,124.79           | \$3,413,124.79         |
| 6/30/06       | 1,145,000.00           | 2,359,173.76           | \$3,504,173.76         |
| 6/30/07       | 1,190,000.00           | 2,311,491.26           | \$3,501,491.26         |
| 6/30/08       | 1,865,000.00           | 2,252,582.51           | \$4,117,582.51         |
| 6/30/09       | 1,940,000.00           | 2,180,285.01           | \$4,120,285.01         |
| 6/30/10       | 2,020,000.00           | 2,100,643.76           | \$4,120,643.76         |
| 6/30/11       | 2,090,000.00           | 2,014,593.76           | \$4,104,593.76         |
| 6/30/12       | 2,190,000.00           | 1,921,947.51           | \$4,111,947.51         |
| 6/30/13       | 2,285,000.00           | 1,822,353.76           | \$4,107,353.76         |
| 6/30/14       | 2,380,000.00           | 1,715,992.51           | \$4,095,992.51         |
| 6/30/15       | 2,400,000.00           | 1,603,772.51           | \$4,003,772.51         |
| 6/30/16       | 2,520,000.00           | 1,485,495.01           | \$4,005,495.01         |
| 6/30/17       | 3,110,000.00           | 1,347,186.26           | \$4,457,186.26         |
| 6/30/18       | 2,150,000.00           | 1,213,852.51           | \$3,363,852.51         |
| 6/30/19       | 2,545,000.00           | 1,090,338.76           | \$3,635,338.76         |
| 6/30/20       | 2,115,000.00           | 965,571.88             | \$3,080,571.88         |
| 6/30/21       | 2,225,000.00           | 847,001.25             | \$3,072,001.25         |
| 6/30/22       | 2,345,000.00           | 720,996.25             | \$3,065,996.25         |
| 6/30/23       | 2,475,000.00           | 588,046.88             | \$3,063,046.88         |
| 6/30/24       | 1,955,000.00           | 463,784.38             | \$2,418,784.38         |
| 6/30/25       | 2,070,000.00           | 347,450.00             | \$2,417,450.00         |
| 6/30/26       | 2,190,000.00           | 223,225.00             | \$2,413,225.00         |
| 6/30/27       | 2,800,000.00           | 79,675.00              | \$2,879,675.00         |
| <b>Total</b>  | <b>\$49,110,000.00</b> | <b>\$31,963,584.32</b> | <b>\$81,073,584.32</b> |



# REALTY TRUST GROUP

M.J.M., Inc., Michael Marsh, C.E.O.  
Spanish Oaks, Inc.  
Gateway Bowl, Corp.  
Gateway Executive Management

Alpine Village  
2300 S. 48th, Suite 1  
Lincoln, NE 68506  
Phone 402-484-8484  
Fax 402-484-8485

Robert Weigel, President  
and General Counsel

RECEIVED  
APR 05 2005  
CITY COUNCIL  
OFFICE

Mr. Marvin Kraut, Planning Director  
Lincoln City – Lancaster County Planning Department  
555 South 10<sup>th</sup> St., Room #213  
Lincoln, NE 68508

April 1, 2005

Re: Zone Change #05004  
84<sup>th</sup>/Old Cheney 6 acres

Dear Marvin,

Your memorandum dated March 23, 2005 is a letter of misunderstanding on several accounts. First, the original application was not to include restrictions. Do you believe for a second that I would voluntarily include restrictions with the precision to say, "The following uses are not permitted: banks and savings and loan, convenience stores and gasoline stations, automobile car wash facilities, warehousing, self storage and industrial uses" and to further restrict "restaurants to less than 1,500 square feet and no drive-thru"? Of course I would not say please include the above because I think it would be a good idea – this is solely the work of the planning staff.

For the record, we did promise the adjacent school across the street, Lincoln Christian, that we would restrict and not allow a liquor store or the sale of any pornographic material on the property. Also for the record, the City Council passed this property for B-2 Commercial Zoning in its entirety; however, the Mayor vetoed same.

The October 1, 2004 letter was never given to me personally – I only became aware of this in December 2004 when Brian Carstens gave me a copy.

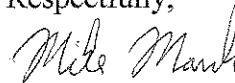
More concerning to me than anything else at this point is the fact myself, Don Wesley, and Steve Henrichson met before the application and it was understood and agreed to not have any restrictions, however, we would bring forth any specific use to be approved for the commercial portion. I subsequently believed this is how we would move forward.

2.

Lastly, I agree that it would be inappropriate to move forward to the City Council with the application needing to be changed or amended. I still stand by moving forward – this should go back to Planning Commission with the six words, “and not to be unreasonably prohibited” or, “For us to come back to council for any Commercial Usage.”

This is not a game to me and if the truth can not prevail I believe the entire system is subject to failure.

Respectfully,

A handwritten signature in cursive script that reads "Mike Marsh".

Mike Marsh

cc:

City Council

Greg Czaplewoki, Planning Dept.

Planning Commission

Ann Harrell, Mayors Office

*Realty Trust Group  
2300 South 48<sup>th</sup>, Suite 1  
Lincoln, Nebraska 68506  
402-484-8484  
Fax: 402-484-8485*

February 28, 2005

Lincoln Lancaster Coutny Planning Dept.  
Steve Henrichsen  
555 South 10<sup>th</sup> Street, Suite 213  
Lincoln, NE 68508

RE: Pine Gardens PUD  
84<sup>th</sup> Street & Old Cheney Rd.

Via Fax: 441-6377

Dear Steve,

We are in receipt of your letter dated February 25, 2005.

If we can do one of two changes we will move forward:

(1) Add the words "and not to be unreasonably prohibited" at the end of "If after the initial approval by the City Council, Realty Trust came in with a client wanting a use not allowed above, such as a bank, on the commercial third of the site, that application will be reviewed by staff. If the general principles of the concept plan are being followed and the user is satisfied with the site plan and right-in only access on S. 84<sup>th</sup> Street, and does not impact the residential uses, staff will consider recommending approval of the change to permit the bank or other use.

Or

2) Keep it simple by agreeing in writing to have Realty Trust come forward to City Council for future projects without delineating any specific use. The latter is what I believe we originally agreed upon.

You and staff have put forth a good and honest effort in working with us and I believe we have as well. The above conditions do not change the spirit of what we are all working towards. We are obviously putting a tremendous amount faith into you and planning staff; that there would be a sincere effort if a current denial use specified came about and we stayed within all other guidelines that you and staff would work with us.

We desire nothing else than "reasonableness" to prevail on your side and ours.

Please consider the above changes so we can move forward on schedule. If you have questions please feel free to contact me at 484-8484.

Sincerely,  
  
Michael J. Marsh



## HALL REAL ESTATE, INC.

2320 South 48th Street  
Lincoln, NE 68506  
Phone 402-483-2551  
Fax 402-489-2394

April 5, 2005

RECEIVED  
APR 06 2005  
CITY COUNCIL  
OFFICE

TO: City of Lincoln Council Members  
RE: Change of Zone #05006

Dear City Council Member,

Change of Zone #05006 will be on your agenda for the public hearing on Monday, April 11. I would like to point out several things that are not highlighted in the Planning Department's report to you. I am enclosing a plat of the area in question. The plat also shows the additional acreages around the proposed plan. Even though we have received a final plat, we cannot proceed with Meadow View 1<sup>st</sup> Addition (marked in bright orange) because NDEQ has told us, after everything was approved once, that we do not have enough lagoon space to accommodate the sewage disposal.

I tried to buy 10 acres of the 160 acres to the south of Meadow View, but the farmer who owns the land said he did not want to split up his acreage. He offered to sell the 160 acres, so I have a contract subject to getting a change of zone.

As you can see from the enclosed plat, there are acreages to the northeast, there are acreages to the north, there are acreages to the northwest, and there are acreages to the west of the plat that we are proposing. This is not an area where we are starting acreage developments.

West Van Dorn and South 84<sup>th</sup> Street are already served with hard surface, and we will develop Meadow View 2<sup>nd</sup> Addition with hard surfaced roads too. The water supply is more than adequate to serve the acreages that we will develop. I am hoping that you will vote in favor of this change of zone so that we can complete the original Meadow View subdivision and the additional lagoon space for NDEQ. The Lancaster County Commissioners voted 4-0 to approve the change of zone at their meeting on April 5, 2005.

Sincerely,

Hub Hall  
President

Enclosure

HHH:zch







**Joan V Ray**

04/06/2005 11:11 AM

To: "Doc and Dee Mullet" <deedoc@bigred.nu>

cc:

Subject: Re: NO to Links!!!

Dear Dee & Doc Mullet: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Doc and Dee Mullet" <mullet@neb.rr.com>



**"Doc and Dee Mullet"**

**<mullet@neb.rr.com>**

04/05/2005 06:30 PM

Please respond to "Doc  
and Dee Mullet"

To: <council@ci.lincoln.ne.us>

cc:

Subject: NO to Links!!!

We would request that you deny the proposed project, "The Links at Lincoln", as totally unnecessary. It seems clear that the last thing Lincoln needs is another golf course & another apt. complex. It is outrageous that we currently waste huge amounts of water so a minority of people can chase a little white ball around land that could surely be put to a better use. But that's another issue. From all we've read, there is already a fairly high vacancy rate for apts, so if you add the lack of need for more apts, & the waste of water & land involved in another golf course, it seems logical & prudent to refuse to approve this project.

Remember, all growth is not progress!

Thank for your service!

Dee & Doc Mullet No virus found in this outgoing message.

Checked by AVG Anti-Virus.

Version: 7.0.308 / Virus Database: 266.9.2 - Release Date: 4/5/2005

City Council  
County-City Bldg.  
555 S. 10th  
Lincoln, NE 68508

RECEIVED  
APR 07 2005  
CITY COUNCIL  
OFFICE

April 5, 2005

To Whom It May Concern:

I have been a resident of University Place for eleven years and have been a member of board of directors of the University Place Community Organization for two years. I have seen my neighborhood deteriorate in the last few years because of the increase in owner-occupied homes being sold to college students or to their parents and then turned into rental housing. I am writing today to support UPCO's change of zoning application No. 05021. I believe it is critical to stop the decline in our neighborhood that accompanies population density. The increase in parties, traffic, noise and litter has driven homeowners away from our neighborhood and I believe we need to stop this trend. I would be disappointed if any more historic homes were turned into duplexes or apartment complexes. I hope you will support this initiative to preserve our neighborhood's historic character and make our area a more peaceful and beautiful place to live.

Thank you for your consideration in this matter.

Sincerely,



Gerise Herndon  
Member, UPCO Board of Directors

RECEIVED

APR 07 2008

CITY COUNCIL  
OFFICE

April 6th

RE: The Lake Street Senior  
Center

Our Church has been  
home to this Center for more  
than twenty years.

It has been a meeting  
place for neighborhood  
seniors to eat and enjoy  
fellowship with others.

They play games and  
take field trips, get their  
taxes figured & blood press-  
ure taken. They have educat-  
ional programs for students.  
So you can see they have so  
much going for them, they're  
more than just a center.

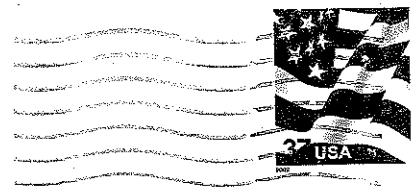
I believe that Kelli  
Brandt is a wonderful leader  
and people have come to  
know her as a friend.

over

Please do not close this center  
Our church has enjoyed having  
them.

Sincerely,  
Shirley Honnor

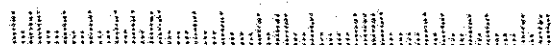
Honor  
1720 Connie Rd  
Lincoln, Ne 68502



RECEIVED  
APR 07 2005  
CITY COUNCIL  
OFFICE

City Council Office  
555 So 10th  
Lincoln, Ne  
68508

68504+2A10






**Joan V Ray**

04/07/2005 12:13 PM

To: "Carol B" <carolserv@hotmail.com>

cc:

Subject: Re: Walmart at 27th and Superior 

Dear Carol: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Carol B" <carolserv@hotmail.com>



**"Carol B"**

<carolserv@hotmail.com>

04/06/2005 11:29 PM

To: council@ci.lincoln.ne.us, plan@lincoln.ne.gov

cc:

Subject: Walmart at 27th and Superior

Be careful what you wish for....this is a result of our Walmart at 27th and Superior....This is our bike path accross Superior Street from Walmart.

Please pass this message along to the Planning Comissioners.

Thank you.

Carol Brown

2201 Elba Circle

Please review the attached pictures of Walmart grounds, the field accross the street from Walmart and the bike path accross from Walmart.



IM001546.JPG



IM001547.JPG



IM001549.JPG



IM001551.JPG



IM001552.JPG



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IM001568.JPG



IM001572.JPG



IM001584.JPG



IM001585.JPG



**Joan V Ray**

04/07/2005 12:24 PM

To: VKWFeline@aol.com

cc:

Subject: Re: Fwd: [JoeCherner-announce]Restaurants, bars gain business under smokefree law 📧

Dear Ms. Wright: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

VKWFeline@aol.com



**VKWFeline@aol.com**

04/07/2005 11:39 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Fwd: [JoeCherner-announce]Restaurants, bars gain business under smokefree law

Thank you, again, for supporting the smoking ban. I had not been in a bar in decades until election night. The food was great, it was an enjoyable time.

Genuine data analysis supports the smoking ban. The few who continue to complain the ban is killing their business are mistaken or misrepresenting. Something may be killing it, but it is not the ban. Perhaps they need a better business plan - one that offers more than a place to smoke.

Ginny Wright

814 Lyncrest Drive

Lincoln, NE 68510

402-489-6239

----- Message from "Joe Cherner" <Joe@smokefree.org> on Mon, 4 Apr 2005 23:57:43 +0200 -----

**To:** "Joe Cherner announce list" <JoeCherner-announce@smokefree.net>

**Subject** [JoeCherner-announce]Restaurants, bars gain business under  
: smokefree law

To win smokefree air where YOU live, go to <http://www.smokefree.net/alerts.php>

---

## **Restaurants, bars gain business under smokefree law**

### **Clean indoor air is good for business and good for health**

*Parts excerpted from the Boston Globe, 4/4/05*

Sales and employment at Massachusetts restaurants and bars grew during the first six months of a statewide smokefree workplace law, disproving predictions that the law would inflict serious damage on the hospitality industry, Harvard researchers are scheduled to report today.

As part of the study, analysts from the Harvard School of Public Health tested the air in 27 bars and restaurants both before and after the ban went into effect last July 5. The result: Cancer-causing toxins plummeted by 93 percent once cigarettes, cigars, and pipes were banished.

The findings arrive as the campaign to eliminate smoking from its last indoor public havens gains momentum not just nationally but globally, with European nations, led by Ireland, moving to extinguish the tradition of a Scotch and a smoke at pubs, nightclubs, and restaurants.

It is a movement hailed as a signal public health triumph and a sweeping social shift. But an increasing body of evidence also suggests that what's good for the health of workers and patrons may also boost the bottom line of businesses.

"Now, we can tell other states considering this kind of law: 'If you implement this law, you're not only going to have a better work environment -- you don't have to affect the economics of your hospitality industry,'" said Gregory Connolly, an author of the Harvard study and former chief of the tobacco control program at the Massachusetts Department of Public Health.

The Harvard researchers reviewed state tax records for all restaurants, bars, and nightclubs from July through December of last year -- the first six months of the statewide ban -- and compared them with receipts for the comparable period in previous years.

To make an apples-to-apples comparison, the researchers took into account inflation. Even after doing that, they found that tax collections on meals rose about 9 percent after the ban went into effect compared with the July through December average for 1999 through 2003. The researchers also found that alcoholic beverage excise tax collections remained essentially steady.

Similarly, the figures showed a slight rise in the number of people working in restaurants and bars.

"We had anticipated and projected that, but no one believed us," said Joyce Redford, director of the North Shore Tobacco Control Program, which covers nine cities and towns. "Now look: Lo and behold, it's exactly what happened."

Even the business alliance that once stood determinedly in opposition to the ban, sending it to repeated defeats on Beacon Hill, concedes that the law has had no negative effects.

"It caused kind of a minor blip in business at first," said Gail Anastas, director of communications for the Massachusetts Restaurant Association. "But then they did things to attract people back. Everybody just wanted a level playing field, and when it went statewide, it made it the same for everyone."

The statewide smokefree workplace law, approved overwhelmingly by legislators and signed into law last year by Governor Mitt Romney, ended a patchwork of tobacco prohibitions that had begun one evening in November 1993. That's when the people of Brookline, gathered in Town Meeting, enacted what was then the most comprehensive smokefree workplace laws in the commonwealth's history.

In the years that followed, dozens of cities and towns approved similar laws, including Boston and most of its suburbs.

Almost overnight, lawmakers who once stood in rigid opposition to a statewide smokefree workplace law became equally staunch proponents.

Their zeal was frequently more political than medical: phones on Beacon Hill rang with calls from constituent restaurant and tavern owners fearful that competitors in communities without bans would poach smoking customers. "Level the playing field" became the rallying cry.

Brookline conducted some of the earliest studies evaluating the economic consequences of smoking bans and found that restaurants and bars overall in the town weren't hurt by the prohibition.

"It may happen that there are losses for some individual businesses that have staked their entire revenue stream on smokers," said Alan Balsam, Brookline's public health commissioner. "But those establishments are few and far between."

Businesses that violate the statewide ban are subject to fines of up to \$300, and smokers can be hit with penalties of up to \$100. But cities and towns have found that once patrons and business owners have time to get used to the rule, compliance becomes uniform.

In Boston, where smoking was banned in May 2003, the Public Health Commission has recorded just a dozen violations since the start of this year, and none of them was for illegal smoking. Instead, they involved infractions such as failing to post the required no-smoking signs.

The state Department of Public Health as well as local health boards recorded a total of 498 complaints about improper puffing during the first six months of the regulation.



It turned out that about two-thirds of those calls came from restaurant and bar workers complaining that their own employers weren't doing enough to prevent smoking, said Eileen Sullivan, director of tobacco control policy at the state public health agency.

The Harvard researchers found vastly different situations before and after the ban at the bars and restaurants they monitored in five cities, Lynn, Malden, Quincy, Waltham, and Worcester. Before the ban, smoke got in their eyes.

"When we went back after the ban," said Carrie Carpenter, one of the Harvard research analysts, "it was much more enjoyable to go in there. It was more like a restaurant and less like a dirty bar."

George Harrington has run a restaurant and bar in downtown Salem for 15 years, and on Friday night, his Lyceum Bar & Grill was electric with activity. There was a time when his bar was a haven for inveterate smokers, so he greeted a tobacco ban with trepidation.

But, then, something unexpected happened.

"We're serving a lot more food at the bar," Harrington said, over the clink of glasses and clatter of plates. "People like sitting at the bar, chatting and eating. They didn't do it before because there might be somebody sitting next to them smoking. That's been a major plus for our bar business.

"And now I can wear a shirt two days in a row."

To win smokefree air where YOU live, go to <http://www.smokefree.net/alerts.php>

Joseph W. Cherner

*"Never doubt that a small group of thoughtful citizens can change the world. Indeed, it's the only thing that ever has." Margaret Mead*

---

To unsubscribe **vkwfeline@aol.com**, send any email to [uns-102-192108-@smokefree.net](mailto:uns-102-192108-@smokefree.net)

To search the JoeCherner-announce archives, go to:  
<http://smokefree.net/JoeCherner-announce/messages>

Sent to **52,791 JoeCherner-announce subscribers** <http://smokefree.net/JoeCherner-announce/subscribers>

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[JoeCherner-announce-subscribe@smokefree.net](mailto:JoeCherner-announce-subscribe@smokefree.net)

If you would like to help prevent another generation of tobacco addiction and disease, click [here](#).

Sent to **vwkfeline@aol.com**

*Page 2*

**ADDENDUM  
TO  
DIRECTORS' AGENDA  
MONDAY, APRIL 11, 2005**

**I. MAYOR**

1. NEWS RELEASE - RE: Mayor Presents Facts On Storm Sewer Bond Issue-Voters to decide issue May 3<sup>rd</sup> -(Council received in their Thursday packets on 4/07/05)(See Release)
2. NEWS RELEASE - RE: Mayor Presents Awards In Public Transportation Coloring Contest -(Council received in their Thursday packets on 4/07/05) (See Release)
3. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of April 9 through 15, 2005-Schedule subject to change - (See Advisory)
4. NEWS RELEASE - RE: Mayor Seng's Statement On NSAA Decisions-(See Release)
5. NEWS RELEASE - RE: Pine Lake Road Reconstruction Project To Begin Tuesday -(See Release)
6. NEWS RELEASE - RE: Open House To Address Upcoming Trunk Sewer Project-(See Release)

**II. CITY CLERK**

1. Letter from Lynn Farrell, Lindsey Management Company sent to City Council Office by City Clerk Joan Ross - RE: Request to put their application of Items 05-33, 05R-69, and 05-34 on Pending for one week to 4/18/05 - (See Letter)

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS/CORRESPONDENCE**

**JON CAMP**

1. E-Mail from Michael Ahmic to Jon Camp - RE: Clean up of debris on public roads after vehicle accidents -(See E-Mail)

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **BUILDING & SAFETY**

1. Letter from Mel Goddard to Jeff Fredrick, ZAN IT, LLC - RE: It has been brought to my attention that the F.O.E. Star City Aerie #4111 no longer uses the building at 2112 Cornhusker Hwy - (See Letter)

## **C. MISCELLANEOUS**

1. Letter & Article from Richard L. Schmeling - RE: Proposed Change of Zoning for Near South -(See Material)
2. E-Mail from George & Cheryl Frederick - RE: Change of Zone #05014 - (See E-Mail)
3. Letter from Jason M. Thiellen, Land Planner, Engineering Design Consultants, L.L.C., - RE: Item #20, 05R-67 – Thompson Creek - Amendment to Use Permit #141A - Conditions of Approval - EDC Job #04-086-025 -(See Letter)



CITY OF LINCOLN  
NEBRASKA

# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE: April 7, 2005**

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Nicole Fleck-Tooze, Public Works and Utilities, 441-6173

## **MAYOR PRESENTS FACTS ON STORM SEWER BOND ISSUE**

*Voters to decide issue May 3*

Mayor Coleen J. Seng today discussed the City's storm sewer drainage system and encouraged voters to become informed prior to voting on the \$10 million storm sewer bond issue. The bond issue was placed on the May 3 general election ballot by the City Council. At current interest rates, the bond issue would cost the owner of a \$125,000 home about \$7.21 per year.

If approved, the bond issue would provide funds to help protect property from stormwater runoff and flood damage when major rains occur, to improve water quality and to prevent or repair stream bank damage. The projects are identified in the City's Storm Sewer Capital Improvement Program and are on a current priority list for storm drainage needs. The anticipated construction time for all of these projects is over the next two to three years.

Passage of the bond issue would provide funds for 18 specific storm drainage and stream stability projects:

- Dead Man's Run - *channel rehabilitation*
- Antelope Park - *stream channel rehabilitation*
- 28th and Fair area - *repair of undersized system to reduce flooding impacts*
- 69th and Walker area - *repair of system to reduce flooding impacts*
- Southgate and Pioneers area - *repair of system to reduce property damage*
- 35th and "N" area - *repair of system to reduce flooding impacts*
- 45th and Ginny area - *engineering and design*
- 38th and Sewell area - *repair of undersized system to reduce street flooding*
- 33rd and Washington area - *engineering and design*
- 6th and "L" area - *rehabilitation of sump area*
- Colonial and Mayflower area - *repair of system to reduce flooding impacts*
- 9th and "N" box culvert - *repair*
- 17th and Washington area - *repair*
- 4th and Hill - *regrading of blocked channel*
- 50th and "R" area - *provide overland flow paths to reduce street flooding*
- 22nd and "X" area - *repair of undersized system to reduce flooding impacts*
- 21st Street - *stormwater bypass system*
- 22nd and "O" area - *storm drain reconstruction*

- more -

## **Storm Sewer Bond Issue**

**April 7, 2005**

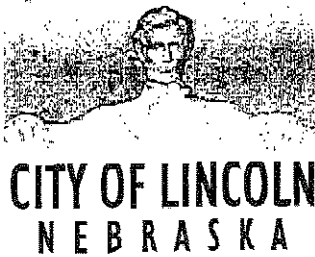
**Page Two**

Passage of the bond issue also would provide funds for:

- Preliminary engineering and projects for master planned basins such as flood management, stream stability and water quality projects.
- Engineering and projects for flood prone areas.
- Projects incorporating best management practices.
- The second phase of a study of urban drainage system deficiencies to update drainage information and prioritize future projects.

Lincoln voters have approved all seven storm sewer bond issues on the ballot since 1983:

- 1983 - \$2.55 million
- 1986 - \$6.815 million
- 1991 - \$5.58 million
- 1995 - \$4 million
- 1997 - \$8.25 million
- 2001 - \$7.5 million
- 2003 - \$10 million



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 7, 2005**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Kitty Miller, StarTran, 441-8469

## MAYOR PRESENTS AWARDS IN PUBLIC TRANSPORTATION COLORING CONTEST

Mayor Coleen J. Seng today presented awards to nine Lincoln students who were named winners in StarTran's coloring contest. This is the first year for the contest. Students in kindergarten through eighth grade were asked to create artwork on "Why Public Transportation is Important." The winning artwork will be displayed on StarTran buses.

"With gas prices on the rise, we know many people are considering StarTran as a great alternative for getting around town," said Mayor Seng. "This contest is a great way to get our young people interested in the many benefits of public transportation and to encourage use at an early age. We hope the enthusiasm of these students will inspire their entire families to consider using our excellent bus system."

Winners, who also received \$25 gift certificates, were selected four age groups:

- kindergarten through second grade: Zach Sandin, first grade, Hill Elementary
- third and fourth grades: Will Ehrman, fourth grade, Zeman Elementary
- fifth and sixth grades: Sadye Evnen, Mia Keady, Phalin Strong and Hannah Vivier, all sixth graders at Irving Middle School
- seventh and eighth grades: Taylor Cobb, seventh grade, North Star Middle School; Yvonne Lin, seventh grade, Lux Middle School; Natasha Doty, eighth grade, Lux Middle School;

StarTran also has an annual water conservation busboard contest for students. The winners of that contest will be announced in May.



CITY OF LINCOLN  
NEBRASKA

# NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: April 8, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

## Mayor Seng's Public Schedule Week of April 9 through 15, 2005 *Schedule subject to change*

### Sunday, April 10

- Czech Language Foundation banquet, remarks - 6:30 p.m., Cornhusker Hotel ballroom, 333 South 13th

### Monday, April 11

- Ribbon-cutting for Cornhusker Hotel remodeling, remarks - 11:50 a.m., 333 South 13th Street
- Mayor's Award of Excellence presentation - 1:30 p.m., City Council Chambers, 555 South 10th Street

### Tuesday, April 12

- International visitor from Turkey - 10:15 a.m., Mayor's Office, 555 South 10th Street
- Mayor's Multicultural Advisory Committee meeting - 4:30 p.m., Mayor's Conference Room, 555 South 10th Street
- Lincoln-Lancaster County Health Department's annual Public Health Awards Banquet - 6 p.m., UNL East Campus Union, Great Plains Room, 37th and Fair streets
- Newcomen Society event for Nebraska Wesleyan University - 8 p.m., Country Club of Lincoln, 3200 South 24th Street

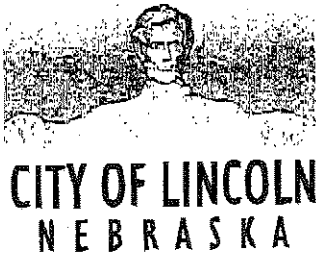
### Wednesday, April 13

- Talent + ribbon-cutting - 9:30 a.m., One Talent + Way (approximately 66th and Pioneers)
- Announcement of project architect for East Campus International Quilt Center, remarks - 5:30 p.m., Country Club of Lincoln, 3200 South 24th Street

### Thursday, April 14

- Lincoln Commission on Human Rights' annual Fair Housing Conference, remarks, proclamation - 8 a.m., Embassy Suites, 1040 "P" Street
- Proclamation for Parkinson's Disease Awareness - 3:30 p.m., Mayor's Conference Room, 555 South 10th Street
- Mayor's Neighborhood Roundtable - 4:30 p.m., County-City Building, room 113, 555 South 10th Street
- Commemoration of Voting Rights Act, remarks, proclamation - 7 p.m. UNL Champions Club, 707 Stadium Drive





# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE: April 8, 2005****FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831**

### MAYOR SENG'S STATEMENT ON NSAA DECISIONS

"We are delighted to welcome the state baseball tournament to our community for the next two years. We also are very excited that the boys and girls basketball championships will remain here for the next five years.

"I am very proud of the partnership that worked together to present an attractive package for our community. Lincoln remains Nebraska's championship city, full of tradition and hospitality. We will continue to work together to make Lincoln an even better destination for our state's athletes, coaches and fans.

"The City of Lincoln appreciates the consideration the NSAA Board of Control gave to our community's proposals to host state tournaments in our Capital City. We wish Omaha and the Qwest Center well as they host the next two state wrestling championships, and we will do what we can to assist in the transition."



**CITY OF LINCOLN**  
**NEBRASKA**

# NEWS RELEASE

**MAYOR COLEEN J. SENG**

[lincoln.ne.gov](http://lincoln.ne.gov)

## **PUBLIC WORKS AND UTILITIES DEPARTMENT**

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

**FOR IMMEDIATE RELEASE: April 8, 2005**

**FOR MORE INFORMATION: Charles Wilcox, Public Works and Utilities, 441-7532**

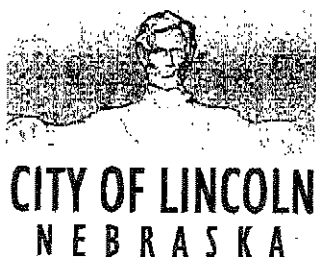
### **PINE LAKE ROAD RECONSTRUCTION PROJECT** **TO BEGIN TUESDAY**

The reconstruction of a section of Pine Lake Road will begin Tuesday, April 12, causing the closure of the street from 40th Street to Stephanie Lane immediately after the morning rush-hour. Traffic will be re-routed from 40th Street north to Old Cheney Road, east to 56th Street, then south to Pine Lake Road. The intersection of Beaver Creek Lane at Pine Lake Road will remain open to north and south traffic only. This initial phase of the project is expected to be completed by mid-December 2005.

The project on Pine Lake Road from 40th to 61st streets will include the widening of Pine Lake Road to four lanes, the construction of raised medians and new turn lanes, the relocation of water mains, and the addition of sidewalks, storm sewers, traffic signals and street lights. The entire project is expected to take two years to complete.

Motorists are urged to drive with caution and allow extra time when traveling in construction areas.

For more information, contact the City Public Works and Utilities Department at 441-7711 or see the City Web site, [lincoln.ne.gov](http://lincoln.ne.gov) (click on Public Works, Engineering Services, City Construction Projects).



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## **PUBLIC WORKS AND UTILITIES DEPARTMENT**

Wastewater Division, 2400 Theresa Street, Lincoln, NE 68521, 441-7961, fax 441-8735

**FOR IMMEDIATE RELEASE:** April 8, 2005

**FOR MORE INFORMATION:** Brian Kramer, Wastewater Collection, 441-7987

### **OPEN HOUSE TO ADDRESS UPCOMING TRUNK SEWER PROJECT**

The public is invited to an informational open house about the Upper Southeast Salt Valley Sub-Basin Sanitary Trunk Sewer project. The open house is from 5 to 6 p.m. Tuesday, April 12 at Walt Library, 6701 South 14th Street.

The project will involve construction of a sanitary trunk sewer line to serve an area from South 27th Street to 40th Street and from Rokeby Road to Yankee Hill Road. "This sewer line is essential to better serve this area, which has been identified for growth," said Steve Masters, Public Utilities Administrator.

Representatives from the City and the design consultant will be available to answer questions about the proposed alignment and timing of the project. Construction is expected to begin no sooner than the fall of 2005.

Joan E Ross, CMC  
City Clerk  
City of Lincoln

CITY CLERK'S OFFICE  
2005 APR 8 PM 1 34  
CITY OF LINCOLN  
NEBRASKA

The Lindsey management would like to request that their application of items 05-33, 05R-69, and 05-34 be placed on pending for one week.

The Hydrogeology report is being forwarded to the Natural Resources District (NRD) for their review and the above request is to allow time for their response.

Thank you for your consideration.

Lynne Farrell  
Lindsey Management Company



Joan V Ray

04/11/05 08:56 AM

To: CouncilPacket/Notes@Notes

cc:

Subject: Re: Clean up of debris on public roads after vehicle accidents

----- Forwarded by Joan V Ray/Notes on 04/11/2005 09:00 AM -----



campjon@aol.com

04/09/2005 12:58 PM

To: Michael.Ahmic@bnsf.com

cc: jray@ci.lincoln.ne.us

Subject: Re: Clean up of debris on public roads after vehicle accidents

Michael:

Thank you for your observation on the failure to clean up debris after accidents. I will forward this to the Finance Director, whose department awards the towing contract, as well as alert other responsible City Director's so that we can work in tandem to ensure street conditions are favorable following such incidents. We can always beef up street cleaning for other situations such as debris from winter conditions, dead animals and other littering. I do know that Public Works tries its best, within budget limitations, to get streets cleaned periodically.

Again, thanks for your observations.

Jon

Jon Camp  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

-----Original Message-----

From: Ahmic, Michael J <Michael.Ahmic@bnsf.com>

To: jcamp@ci.lincoln.ne.us

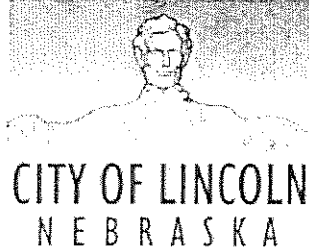
Sent: Tue, 5 Apr 2005 07:13:03 -0500

Subject: Clean up of debris on public roads after vehicle accidents

Good morning John, my name is Michael Ahmic, 2831 Ponca Street, Lincoln, NE 68506, office phone 325-3352. I would like to bring up a problem to you that seem to be getting worse as time goes on. Intersections are being littered with debris after vehicle accidents. The wrecker services are not cleaning up pieces of automobiles and screws and bolts which cause flax tires and damage to other vehicles. Please bring this up and make sure city contracts include clean up of debris for tow trucks. Thanks for your time John. ( I don't understand why the police officers are not paying attention as well when called to accident location )

michael.ahmic@bnsf.com

402-325-3352



Building and Safety Department  
Mike Merwick, Director  
555 South 10th Street  
Room 203  
Lincoln, Nebraska 68508

402-441-7521  
fax: 402-441-8214  
bldgsafe@ci.lincoln.ne.us

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us



April 6, 2005

ZAN IT, LLC  
Attn: Jeff Fredrick  
PO Box 80612  
Lincoln NE 68501

Re: 2112 Cornhusker Hwy

RECEIVED  
APR 08 2005  
CITY COUNCIL  
OFFICE

Dear Mr. Fredrick,

It has been brought to my attention that the F.O.E. Star City Aerie #4111 no longer uses the building at 2112 Cornhusker Highway.

The building permit (B9402253) for the structure was issued in 1994. The approved plans called for paving and landscaping of the parking lot. (Surfacing and landscaping is required for all parking lots of 6 stalls or more).

Section 27.67.100(c)(1) of the Lincoln Municipal Code allows an exception to the paving requirements for a non-profit, religious, educational or philanthropic institution. The F.O.E. Star City Aerie #4111 applied for and was granted a waiver of parking lot paving under resolution A81179.

The parking lot for 2112 Cornhusker Hwy can remain unpaved if another non-profit, religious, educational or philanthropic institution moves in. Any other use not within the exceptions would require that the paving and landscaping be completed as per the approved plans. Specifically the use of the building as a ballroom banquet facility.

If you have any questions, please call me at 441-6423.

Sincerely,

Mel Goddard  
Chief Building Inspector

pc: Kendra Brock, 3451 N 52nd St, Lincoln NE 68504  
City Council Office  
Joan Ross, City Clerk's Office  
Mike Merwick, Director, Bldg & Safety Dept.  
Chuck Zimmerman, Bldg Services Manager, Bldg & Safety Dept.  
Chuck Schweitzer, Fire Inspector, Bldg & Safety Dept.  
Terry Kathe, Zoning Coordinator, Bldg & Safety Dept.  
File

KREKMCNtrs-mg-2112 cornh hwy

4612 Van Dorn Street  
Lincoln, NE 68506  
April 8, 2005

Mayor Coleen Seng and  
Members of the City Council  
of Lincoln, NE

APR 08 2005  
CITY COUNCIL  
OFFICE

Concerning: Proposed Change of Zoning for Near South

Dear Mayor Seng and Members of the Lincoln City Council:

On this coming Monday you will be voting on a proposal to change the zoning for the Near South area to prevent the further building of duplexes and apartment complexes. I urge you to carefully consider the effect of making such a change.

In order for good public transportation to happen in Lincoln it is necessary that there be a certain "mass" of people along transportation corridors. This is true whether the form of that transportation is bus or Light Rail. One of the most-densely populated areas is the Near South area. There are currently bus routes on South 10th Street and South 13th Street serving the area. A Light Rail line from South Street north on 11th St. through downtown to the UN-L City Campus would make a lot of sense.

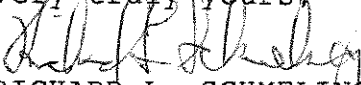
By "freezing" the natural transition of this area and promoting the retention of single-family homes, you artificially freeze the area preventing the "mass" necessary for good public transit.

Although not a regular reader of "Rolling Stone", a friend directed my attention to the April 7, 2005, issue which has an article about "The End of Oil". I find it to be generally accurate and important for every one of you to be aware of.

Because of the end of "cheap gasoline", Lincoln's growth and development will most likely consist of "infilling" rather than further sprawling. The Near South area is a natural for this "infilling" and that trend has been present in the area for decades now.

Good zoning decisions will consider transportation impact and we need to be looking ahead to the day when people can no longer drive in from the outlying areas. With gasoline said to reach \$3.00 per gallon this summer, that day may come sooner than we think! Please consider transportation in making a decision on this issue and all other zoning and planning issues.

Very truly yours,

  
RICHARD L. SCHMELING

★ NATIONAL AFFAIRS ★

# THE END OF OIL

What's going to happen as we start running out of cheap gas to guzzle? Within the next few years, we'll find out. And nothing will ever be the same

—★ By James Howard Kunstler ★—

**A** FEW WEEKS AGO, THE PRICE OF OIL RATCHETED ABOVE FIFTY-FIVE DOLLARS A BARREL, which is about twenty dollars a barrel more than a year ago. The next day, the oil story was buried on page six of the *New York Times* business section. Apparently, the price of oil is not considered significant news, even when it goes up five bucks a barrel in the span of ten days. That same day, the stock market shot up more than a hundred points because, CNN said, government data showed no signs of inflation. Note to clueless nation: Call planet Earth.

Carl Jung, one of the fathers of psychology, famously remarked that "people cannot stand too much reality." What you're about to read may challenge your assumptions about the kind of world we live in, and especially the kind of world into which events are propelling us. We are in for a rough ride through uncharted territory.

It has been very hard for Americans — lost in dark raptures of nonstop infotainment, recreational shopping and compulsive motoring — to make sense of the gathering forces that will fundamentally alter the terms of everyday life in our technological society. Even after the terrorist attacks of 9/11, America is still sleepwalking into the future. I call this coming time the Long Emergency.

**M**OST IMMEDIATELY WE FACE the end of the cheap-fossil-fuel era. It is no exaggeration to state that reliable supplies of cheap oil and natural gas underlie everything we identify as the necessities of modern life — not to mention all of its comforts and luxuries: central heating, air conditioning, cars, airplanes, electric lights, inexpensive clothing, recorded music, movies, hip-replacement surgery, national defense — you name it.

The few Americans who are even aware that there is a gathering global-energy predicament usually misunderstand the core of the argument. That argument states that we don't have to run out of oil to start having severe problems with industrial civilization and its dependent systems. We only have to slip over the all-time production peak and begin a slide down the arc of steady depletion.

The term "global oil-production peak" means that a turning point will come when the world produces the most oil it will ever produce in a given year and, after that, yearly production will inexorably decline. It is usually represented graphically in a

bell curve. The peak is the top of the curve, the halfway point of the world's all-time total endowment, meaning half the world's oil will be left. That seems like a lot of oil, and it is, but there's a big catch: It's the half that is much more difficult to extract, far more costly to get, of much poorer quality and located mostly in places where the people hate us. A substantial amount of it

will never be extracted.

The United States passed its own oil peak — about 11 million barrels a day — in 1970, and since then production has dropped steadily. In 2004 it ran just above 5 million barrels a day (we get a tad more from natural-gas condensates). Yet we consume roughly 20 million barrels a day now. That means we have to import about

two-thirds of our oil, and the ratio will continue to worsen.

The U.S. peak in 1970 brought on a portentous change in geoeconomic power. Within a few years, foreign producers, chiefly OPEC, were setting the price of oil, and this in turn led to the oil crises of the 1970s. In response, frantic development of non-OPEC oil, especially the North Sea fields of England and Norway, essentially saved the West's ass for about two decades. Since 1999, these fields have entered depletion. Meanwhile, worldwide discovery of new oil has steadily declined to insignificant levels in 2003 and 2004.

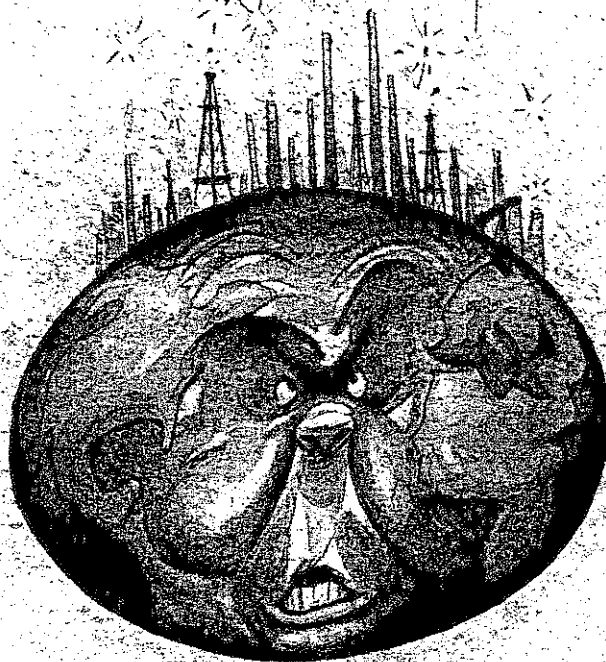
Some "cornucopians" claim that the Earth has something like a creamy nougat center of "abiogenic" oil that will naturally replenish the great oil fields of the world. The facts speak differently. There has been no replacement whatsoever of oil already extracted from the fields of America or any other place.

Now we are faced with the global oil-production peak. The best estimates of when this will actually happen have been somewhere between now and 2010. In 2004, however, after demand from burgeoning China and India shot up, and revelations that Shell Oil wildly misstated its reserves, and Saudi Arabia proved incapable of goosing up its production despite promises to do so, the most knowledgeable experts revised their predictions and now concur that 2005 is apt to be the year of all-time global peak production.

It will change everything about how we live.

To aggravate matters, American natural-gas production is also declining, at five percent a year, despite frenetic new drilling, and with the potential of much steeper declines ahead. Because of the oil crises of the 1970s, the nuclear-plant disasters at Three Mile Island and Chernobyl and the acid-rain problem, the U.S. chose to make gas its first choice for electric-power generation. The result was that just about every power plant built after 1980 has to run on gas. Half the homes in America are heated with gas. To further complicate matters, gas isn't easy to import. Here

Adapted from "The Long Emergency," by James Howard Kunstler, due out May 15th.





in North America, it is distributed through a vast pipeline network. Gas imported from overseas would have to be compressed at minus-260 degrees Fahrenheit in pressurized tanker ships and unloaded (re-gasified) at special terminals, of which few exist in America. Moreover, the first attempts to site new terminals have met furious opposition because they are such ripe targets for terrorism.

**S**OME OTHER THINGS ABOUT THE global energy predicament are poorly understood by the public and even our leaders. This is going to be a permanent energy crisis, and these energy problems will synergize with the disruptions of climate change, epidemic disease and population overshoot to produce higher orders of trouble.

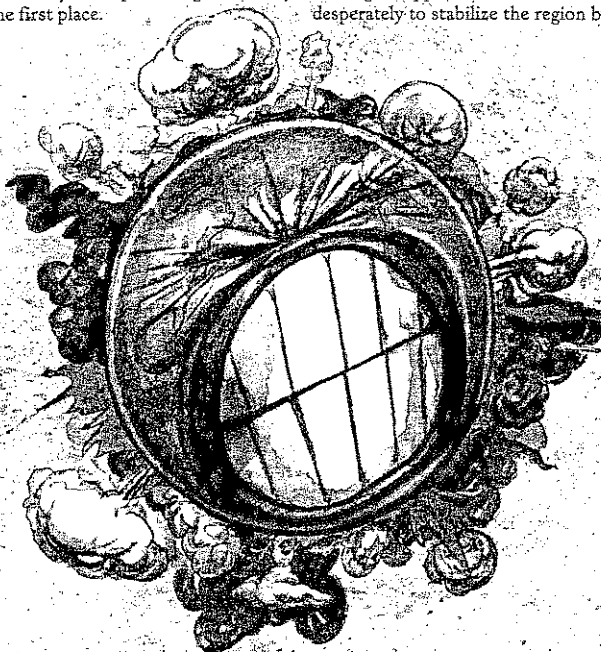
We will have to accommodate ourselves to fundamentally changed conditions.

No combination of alternative fuels will allow us to run American life the way we have been used to running it, or even a substantial fraction of it. The wonders of steady technological progress achieved through the reign of cheap oil have lulled us into a kind of Jimmy Cricket syndrome, leading many Americans to believe that anything we wish for hard enough will come true. These days, even people who ought to know better are wishing ardently for a seamless transition from fossil fuels to their putative replacements.

The widely touted "hydrogen economy" is a particularly cruel hoax. We are not going to replace the U.S. automobile and truck fleet with vehicles run on fuel cells. For one thing, the current generation of fuel cells is largely designed to run on hydrogen obtained from natural gas. The other way to get hydrogen in the quantities wished for would be electrolysis of water using power from hundreds of nuclear plants. Apart from the dim prospect of our building that many nuclear plants soon enough, there are also numerous severe problems with hydrogen's nature as an element that present forbidding obstacles to its use as a replacement for oil and gas, especially in storage and transport.

Wishful notions about rescuing our way of life with "renewables" are also unrealistic. Solar-electric systems and wind turbines face not only the enormous problem of scale but the fact that the components require substantial amounts of energy to manufacture and the probability that they can't be manufactured at all without the underlying support platform of a fossil-fuel economy. We will surely use solar and wind technology to generate some electricity for a period ahead but probably at a very local and small scale.

Virtually all "biomass" schemes for using plants to create liquid fuels cannot be scaled up to even a fraction of the level at which things are currently run. What's more, these schemes are predicated on using oil and gas "inputs" (fertilizers, weed-killers) to grow the biomass crops that would be converted into ethanol or bio-diesel fuels. This is a net energy loser—you might as well just burn the inputs and not bother with the biomass products. Proposals to distill trash and waste into oil by means of thermal depolymerization depend on the huge waste stream produced by a cheap oil and gas economy in the first place.



**The "hydrogen economy" — widely touted as a cure-all — is a particularly cruel hoax.**

Coal is far less versatile than oil and gas, extant in less abundant supplies than many people assume and fraught with huge ecological drawbacks — as a contributor to green-

house "global warming" gases and many health and toxicity issues ranging from widespread mercury poisoning to acid rain. You can make synthetic oil from coal, but the only time this was tried on a large scale was by the Nazis under wartime conditions, using impressive amounts of slave labor.

If we wish to keep the lights on in America after 2020, we may indeed have to resort to nuclear power, with all its practical problems and eco-conundrums. Under optimal conditions, it could take ten years to get a new generation of nuclear power plants into operation, and the price may be beyond our means. Uranium

is also a resource in finite supply. We are no closer to the more difficult project of atomic fusion, by the way, than we were in the 1970s.

**T**HE UPSHOT OF ALL THIS IS THAT we are entering a historical period of potentially great instability, turbulence and hardship. Obviously, geopolitical maneuvering around the world's richest energy regions has already led to war and promises more international military conflict. Since the Middle East contains two-thirds of the world's remaining oil supplies, the U.S. has attempted desperately to stabilize the region by, in

regions of the Eastern Hemisphere indefinitely, or hope to secure either the terrain or the oil infrastructure of one distant, unfriendly country after another. A likely scenario is that the U.S. could exhaust and bankrupt itself trying to do this, and be forced to withdraw back into our own hemisphere, having lost access to most of the world's remaining oil in the process.

We know that our national leaders are hardly uninformed about this predicament. President George W. Bush has been briefed on the dangers of the oil-peak situation as long ago as before the 2000 election and repeatedly since then (see sidebar). In March, the Department of Energy released a report that officially acknowledges for the first time that peak oil is for real and states plainly that "the world has never faced a problem like this. Without massive mitigation more than a decade before the fact, the problem will be pervasive and will not be temporary."

**M**OST OF ALL, THE LONG Emergency will require us to make other arrangements for the way we live in the United States. America is in a special predicament due to a set of unfortunate choices we made as a society in the twentieth century. Perhaps the worst was to let our towns and cities rot away and to replace them with suburbia, which had the additional side effect of trashing a lot of the best farmland in America. Suburbia will come to be regarded as the greatest misallocation of resources in the history of the world. It has a tragic destiny. The psychology of previous investment suggests that we will defend our drive-in utopia long after it has become a terrible liability.

Before long, the suburbs will fail us in practical terms. We made the ongoing development of housing subdivisions, highway strips, fried-food shacks and shopping malls the basis of our economy, and when we have to stop making more of those things, the bottom will fall out.

The circumstances of the Long Emergency will require us to downscale and rescale virtually everything we do and how we do it, from the kind of communities we physically inhabit to the way we grow our food to the way we work and trade the products of our work. Our lives will become profoundly and intensely local. Daily life will be far less about mobility and much more about staying where you are. Anything organized on the large scale, whether it is government or a corporate business enterprise such as Wal-Mart, will wither as the cheap energy props that support bigness fall away. The turbulence of the Long Emergency will produce a lot of economic losers, and many of these will be members of an angry and aggrieved former middle class.

Food production is going to be an enormous problem in the Long Emergency. As industrial agriculture fails due to a scarcity

effect, opening a big police station in Iraq. The intent was not just to secure Iraq's oil but to modify and influence the behavior of neighboring states around the Persian Gulf, especially Iran and Saudi Arabia. The results have been far from entirely positive, and our future prospects in that part of the world are not something we can feel altogether confident about.

**A**ND THEN THERE IS THE ISSUE of China, which, in 2004, became the world's second-greatest consumer of oil, surpassing Japan. China's surging industrial growth has made it increasingly dependent on the imports we are counting on. If China wanted to, it could easily walk into some of these places — the Middle East, former Soviet republics in central Asia — and extend its hegemony by force. Is America prepared to contest for this oil in an Asian land war with the Chinese army? I doubt it. Nor can the U.S. military occupy re-

of oil- and gas-based inputs, we will certainly have to grow more of our food closer to where we live, and do it on a smaller scale. The American economy of the mid-twenty-first century may actually center on agriculture, not information, not high tech, not "services" like real estate sales or hawking cheeseburgers to tourists. Farming. This is no doubt a startling, radical idea, and it raises extremely difficult questions about the reallocation of land and the nature of work. The relentless subdividing of land in the late twentieth century has destroyed the contiguity and integrity of the rural landscape in most places. The process of readjustment is apt to be disorderly and improvisational. Food production will necessarily be much more labor-intensive than it has been for decades. We can anticipate the re-formation of a native-born American farm-laboring class. It will be composed largely of the aforementioned economic losers who had to relinquish their grip on the American dream. These masses of dis-entitled people may enter into quasi-feudal social relations with those who own land in exchange for food and physical security. But their sense of grievance will remain fresh, and if mistreated they may simply seize that land.

The way that commerce is currently

organized in America will not survive far into the Long Emergency. Wal-Mart's "warehouse on wheels" won't be such a bargain in a non-cheap-oil economy. The national chain stores' 12,000-mile manufacturing supply lines could easily be interrupted by military contests over oil and by internal conflict in the nations that have been supplying us with ultra-cheap manufactured goods, because they, too, will be struggling with similar issues of energy famine and all the disorders that go with it.

As these things occur, America will have to make other arrangements for the manu-

system does not tolerate partial failure. The interstates are either in excellent condition, or they quickly fall apart.

America today has a railroad system that the Bulgarians would be ashamed of. Neither of the two major presidential candidates in 2004 mentioned railroads, but if we don't refurbish our rail system, then there may be no long-range travel or transport of goods at all a few decades from now. The commercial aviation industry, already on its knees financially, is likely to vanish. The sheer cost of maintaining gigantic airports may not justify the operation of a much-reduced air-travel fleet.



ZU75?

## BIG OIL'S STRAIGHT SHOOTER

George W. Bush may not act like he's worried about cheap oil running out - have you ever heard him mention the word *conservation*? - but that's not because he hasn't been made aware of the problem. Matthew R. Simmons, CEO of the world's largest energy investment bank and a key member of the White House's 2001 energy task force, has discussed peak oil a number of times with Bush. "He understands decline rates," Simmons says. "That's why he's so committed to nuclear power."

Simmons is the rare member of the oil-industry establishment willing to discuss the perils as we face the post-oil era: "Peak oil is a far more serious global and societal issue than global warming. It's been cast as something on the lunatic fringe, but it's very real." Simmons holds out a slim reed of hope that we can navigate the perils ahead - with nuclear and, to a lesser extent, hydrogen, solar and wind buying time while our best minds come up with some replacement for fossil fuels. But does Simmons think we can avoid a cataclysm? "Oh no, we're going over the brink on this," he says. "I just don't know how far."

COCO McPHERSON

facture, distribution and sale of ordinary goods. They will probably be made on a "cottage industry" basis rather than the factory system we once had, since the scale of available energy will be much lower - and we are not going to replay the twentieth century. Tens of thousands of the common products we enjoy today, from paints to pharmaceuticals, are made out of oil. They will become increasingly scarce or unavailable. The selling of things will have to be reorganized at the local scale. It will have to be based on moving merchandise shorter distances. It is almost certain to result in higher costs for the things we buy and far fewer choices.

The automobile will be a diminished presence in our lives, to say the least. With gasoline in short supply, not to mention tax revenue, our roads will surely suffer. The interstate highway system is more delicate than the public realizes. If the "level of service" (as traffic engineers call it) is not maintained to the highest degree, problems multiply and escalate quickly. The

Railroads are far more energy efficient than cars, trucks or airplanes, and they can be run on anything from wood to electricity. The rail-bed infrastructure is also far more economical to maintain than our highway network.

**T**HE SUCCESSFUL REGIONS IN THE twenty-first century will be the ones surrounded by viable farming hinterlands that can reconstitute locally sustainable economies on an armature of civic cohesion. Small towns and smaller cities have better prospects than the big cities, which will probably have to contract substantially. The process will be painful and tumultuous. In many American cities, such as Cleveland, Detroit and St. Louis, that process is already well advanced. Others have further to fall. New York and Chicago face extraordinary difficulties, being over-

supplied with gigantic buildings out of scale with the reality of declining energy supplies. Their former agricultural hinterlands have long been paved over. They will be encysted in a surrounding fabric of necrotic suburbia that will only amplify and reinforce the cities' problems. Still, our cities occupy important sites. Some kind of urban entities will exist where they are in the future, but probably not the colossi of twentieth-century industrialism.

Some regions of the country will do better than others in the Long Emergency. The Southwest will suffer in proportion to the degree that it prospered during the cheap-oil blowout of the late twentieth century. I predict that Sunbelt states like Arizona and Nevada will become significantly depopulated, since the region will be short of water as well as gasoline and natural gas. Imagine Phoenix without cheap air conditioning.

I'm not optimistic about the Southeast, either, for different reasons. I think it will be subject to substantial levels of violence as the grievances of the formerly middle class boil over and collide with the delusions of Pentecostal Christian extremism. The latent encoded behavior of Southern culture includes an outsized notion of individualism and the belief that firearms ought to be used in the defense of it. This is a poor recipe for civic cohesion.

The Mountain States and Great Plains will face an array of problems, from poor farming potential to water shortages to population loss. The Pacific Northwest, New England and the Upper Midwest have somewhat better prospects. I regard them as less likely to fall into lawlessness, anarchy or despotism and more likely to

salvage the bits and pieces of our best social traditions and keep them in operation at some level.

These are daunting and even dreadful prospects. The Long Emergency is going to be a tremendous trauma for the human race.

We will not believe that this is happening to us, that 200 years of modernity can be brought to its knees by a world-wide power shortage. The survivors will have to cultivate a religion of hope - that is, a deep and comprehensive belief that humanity is worth carrying on. If there is any positive side to stark changes coming our way, it may be in the benefits of close communal relations, of having to really work intimately (and physically) with our neighbors, to be part of an enterprise that really matters and to be fully engaged in meaningful social enactments instead of being merely entertained to avoid boredom. Years from now, when we hear singing at all, we will hear ourselves, and we will sing with our whole hearts.

**Our twenty-first-century economy may focus on agriculture, not information.**



Joan V Ray

04/08/05 11:23 AM


To: CouncilPacket/Notes@Notes  
cc:  
Subject: Re: change of zone no. 05014

----- Forwarded by Joan V Ray/Notes on 04/08/2005 11:26 AM -----



Joan V Ray

04/08/2005 11:21 AM

To: "Cheryl" <ccf@neb.rr.com>  
cc:  
Subject: Re: change of zone no. 05014 

Dear Mr. & Mrs. Frederick: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us  
"Cheryl" <ccf@neb.rr.com>



"Cheryl"  
<ccf@neb.rr.com>

04/08/2005 11:13 AM

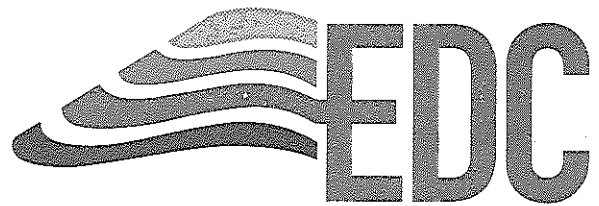
To: <council@ci.lincoln.ne.us>  
cc:  
Subject: change of zone no. 05014

My husband and I live in the Near South neighborhood and we support the Change of Zone no. 05014. This change is vital to protecting and reinforcing the strong single-family character of this historic neighborhood. Please help us keep our city strong by voting "yes" on Change of Zone #05014.

Thank you,

George and Cheryl Frederick  
2119 E Street  
[ccf@neb.rr.com](mailto:ccf@neb.rr.com)

#20  
05R-67



Engineering Design Consultants

2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

April 8, 2005

Joan Ray  
City Council  
City-County Building  
555 South 10<sup>th</sup> Street, Suite 111  
Lincoln, NE 68508

RECEIVED  
APR 08 2005  
CITY COUNCIL  
OFFICE

RE: Thompson Creek  
Amendment to Use Permit #141 A  
Conditions of Approval  
EDC Job #04-086-025

Dear City Council Members,

Engineering Design Consultants and Thompson Creek L.L.C have met with Engineering Services and have come to an agreement concerning the conditions of approval for the above referenced amendment. We have agreed to the following:

1. Condition 2.viii to be removed from the conditions of approval.
2. Condition 2.ix to be revised to read, "Revise the parking along South 57<sup>th</sup> Street to be angled such that vehicles can enter and leave parking stalls without crossing the centerline of South 57<sup>th</sup> Street."
3. Condition 2.c to be revised to read, "Submit a traffic study projecting anticipated peak hour traffic volumes and required lane configurations in Union Hill Road between 56 Street and Greycliff Drive and revise plan if necessary to meet recommendations of the approved study."

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Jason M. Thiellen  
Land Planner

c: Bob Lewis

**DIRECTORS' MEETING  
MINUTES  
MONDAY, APRIL 11, 2005  
CONFERENCE ROOM 113**

**Council Members Present:** Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Patte Newman, Glenn Friendt, Annette McRoy.

**Others Present:** Mayor Coleen Seng, Mark Bowen, Ann Harrell, Darl Naumann, Lin Quenzer, Rick Hoppe, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff and Deena Winter, Lincoln Journal Star Representative.

**I. MAYOR**

Mayor Coleen Seng stated they all probably read about the wrestling tournament going to Omaha. One reason is that they don't have an arena and it was interesting that coincided with the timing of the Journal Star story on Sunday about the western area.

She sat through most of the presentation that was made by the group that put it together and she was really pleased with Lincoln's presentation. Wendy Birdsall covered the load on that, but there was good representation all the way through and she just wants them to know how good they did. They spent a lot of time talking about tradition.

Mayor Coleen Seng called on Directors. Diane Gonzolas stated that Kent Seacrest will be on the "John Ballard Show" this afternoon to talk about the West Haymarket Project. She knows Council will not be able to listen, but it should be interesting.

Nicole Fleck-Tooze stated that City Clerk Joan Ross handed out to Council a Motion-To-Amend substitute for the Appeal of the Thompson Creek use permit, which is Item 20 on their Agenda today. This reflects basically a compromise that has been reached between Public Works & Utilities and the applicant. So, when Council gets to it that would be the substitute of approval for the appeal on Thompson Creek. What it did was identify that they did not have to go the whole 33 feet, struck the condition to have a wider street, identified the parking be angled in a certain way and better define the traffic studies. *[05R-67, Use Permit 141A - Appeal of Thompson Creek LLC from the Planning Commission action]*

*conditionally approving Use Permit No. 141A on property generally located at South 56<sup>th</sup> Street and Thompson Creek Blvd. subject to the requirement that the pavement in South 57<sup>th</sup> Street be 33 feet wide and that angle parking be provided along South 57<sup>th</sup> Street, and that a traffic study be provided.]*

Also, in case each of them noticed or get calls about it, there is an awful lot of truck loads of dirt being brought into the site at North 27<sup>th</sup> Street east of “Settle Inn”. That’s an area of concern and there were stories in the newspaper about the 404 permit, the wetlands and potential salt creek tiger beetle habitat. Building & Safety has issued a stop work order for filling a floodplain, it looks like they will need to update some permits that had already been received in the past for grading and floodplain. It goes up to the very edge of the creek and the wetlands, but it looks like they are not in violation of the 404, it’s a matter of them getting the documents in place to be up-to-date on their grading and floodplain fill and then they will probably be able to proceed.

Ray Hill stated Council should have received an e-mail from him regarding Lindsey Company follow up on 1<sup>st</sup> & Fletcher that they did the tests on the well water. They have sent those tests to the NRD and they are waiting for the results, so they’re requesting action be delayed today for Items 16, 17, & 18. City Clerk Joan Ross noted in their communication to her they asked for one week delay and a letter is attached to their Addendum. Mr. Friendt stated he’s offering an amendment regardless of what the tests say, he would make a condition of approval that they connect to City water so it protects not only the current situation but potential future neighbors. Ms. Newman asked Mr. Hill if the applicant will be at the meeting today? Mr. Hill replied he does not know.

Assistant Police Chief Jim Peschong reported over the weekend Friday night early Saturday morning they had an incident out by the “Royal Grove” & the “Kwick Shop” where an individual was struck several times through a little bit of a fire fight. It’s a group of people that evidently are not seeing eye-to-eye, the person who did get struck and is in the hospital, his arms got broke by the bullets and stuff. He’s basically been a problem child for them and they were actually talking with the U.S. Attorney’s Office last week about trying to pursue some federal charges on him because he seems to want to carry fire arms an awful lot. So, they will be talking again with the U.S. Attorney’s Office today in regards to this particular incident as well. They still have not identified the people who are responsible for it, but they’re still working through it.

1. NEWS RELEASE - RE: Wireless Internet Access Now Offered At County-City Building. — NO COMMENTS
2. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at ~~10:00 a.m.~~ Thursday, April 7<sup>th</sup> at the StarTran maintenance facility at 8<sup>th</sup> & “J” Streets-will present awards to the winners of the StarTran public transportation coloring contest, and discuss the facts on the storm sewer bond issue, which is on the general election ballot May 3<sup>rd</sup>. — NO COMMENTS
3. NEWS RELEASE - RE: City Council Candidate Debate Set For April 11- Debate to air on 5 City-TV. — NO COMMENTS
4. NEWS ADVISORY - RE: REVISED: NOTE TIME CHANGE - Mayor Seng will have a news conference at **9:30 a.m.** Thursday, April 7<sup>th</sup>. — NO COMMENTS

## **II. DIRECTORS - NO FURTHER COMMENTS**

### **FINANCE**

1. E-Mail from Don Herz - RE: Keno update -( See E-Mail). — NO COMMENTS

### **HEALTH**

1. NEWS RELEASE - RE: What’s In Your Garage? - First Household Hazardous Waste Collection Scheduled For April 16, 2005. — NO COMMENTS

### **PLANNING**

1. Annexation by Ordinance - 19.4 Acres - Ordinance No. 18506 - Effective: March 15, 2005. — NO COMMENTS
2. Letter & Material from Jean Walker to Property Owners and Interested Parties: - RE: Comprehensive Plan Amendment #05012; Annexation #05005; and Change of Zone #05020- N. 84<sup>th</sup> Street & Adams Street-(See Material). — NO COMMENTS

3. Letter from Brian Will to Kent Braasch, Essex Corp. - RE: The Preserve on Antelope Creek 9<sup>th</sup> Addition-Final Plat #04113-Generally located at South 80<sup>th</sup> Street and Pioneers Blvd.— NO COMMENTS
4. Letter from Tom Cajka to Lyle Loth, ESP - RE: Aspen Ridge 3<sup>rd</sup> Addition Final Plat #04104-Generally located at S.W. 27<sup>th</sup> Street and West “A” Street. — NO COMMENTS
5. Response E-Mail from Ray Hill to Patte Newman - RE: The Links PUD @ 1<sup>st</sup> & Fletcher -water wells. — NO COMMENTS

#### **PLANNING COMMISSION FINAL ACTION .....**

1. Special Permit No. 05011, Vintage Hills Community Unit Plan (Southeast of S. 84<sup>th</sup> Street and Old Cheney Road) Resolution No. PC-00916. — NO COMMENTS
2. Special Permit No. 05012 (On-sale alcohol-2801 Pine Lake Road) Resolution No. PC-00915. — NO COMMENTS
3. Special Permit No. 05013 (Dance studio-northeast of S. 56<sup>th</sup> Street and Thompson Creek Blvd.) Resolution No. PC-00917. — NO COMMENTS
4. Special Permit No. 05014 (On-sale alcohol-2300 Judson Street) Resolution No. PC-00918. — NO COMMENTS

#### **PUBLIC WORKS & UTILITIES**

1. Public Works & Utilities ADVISORY - RE: Pine Lake Road Widening Project 700014 - 40<sup>th</sup> to 61<sup>st</sup> Streets - 56<sup>th</sup> Street Shadow Pines to Thompson Creek Blvd. - April 4<sup>th</sup>, 2005 - (See Advisory). — NO COMMENTS

#### **WOMEN’S COMMISSION**

1. NEWS RELEASE - RE: NACW Participation-Bonnie Coffey Represents Lincoln and Lancaster County At National Board Meeting. — NO COMMENTS
2. NEWS RELEASE - RE: City Council and School Board Candidates= Forum Held At Malone Center. — NO COMMENTS



### III. CITY CLERK

City Clerk Joan Ross noted they've already talked about Items 16, 17, & 18. They also know there are Motions-To-Amend #3 & #4 for Item 18, which she handed out to Council. *[05-33, Annexation 05001-Amending the Lincoln Corporate Limits Map by annexing approximately 100.00 acres of property generally located at North 1<sup>st</sup> Street and Fletcher Avenue.; 05R-69, Approving the 1<sup>st</sup> and Fletcher Conditional Annexation and Zoning Agreement between the City and Carlton Paine & Judith Paine, Glenn Umberger & Lois Umberger, and Umberger Farms Ltd., relating to the annexation of approximately 100.69 acres, generally located southeast of North 1<sup>st</sup> Street and Fletcher Avenue.; and 05-34, Change of Zone 05002-Application of Lindsey Management Company for a change of zone from AG Agricultural District to R-3 Residential District on property generally located at Highway 34 and Fletcher Avenue; designating said property as a Planned Unit Development; and for approval of a development plan for 612 dwelling units, a clubhouse, private golf course and 60,000 square feet of commercial floor area (or 696 dwelling units if the commercial use is deleted) in the underlying R-3 Residential District with a requested waiver of the required preliminary plat process.]*

They've already talked about Item 20. *[05R-67-Use Permit 141A-Appeal of Thompson Creek... (See further description for this item under "I. Mayor".]*  
(See that discussion)

The "Miscellaneous Referral Sheet" pretty routine. The Clerk's Letter and Mayor's Approval of Ordinances and Resolutions that were passed by City Council on April 4, 2005; Investment of Funds for the week of March 14 through April 1, 2005; Informal Paving Petition for a Paving District to be created in Mandarin Circle signed by Ross D. Wunderlich and Dean Fandrich; and the Report of UNL Microbiologist for water testing for the month of March 2005.

Mr. Werner noted that they have 'open mic' today.

#### IV. COUNCIL

##### A. COUNCIL REQUESTS/CORRESPONDENCE

###### GLENN FRIENDT

1. OUTSTANDING Request to ~~Marc Wullschleger, Urban Development Director~~ / **Lynn Johnson, Parks & Recreation Director** - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.** — Mr. Friendt stated this Request For Information (#41) can be removed from the Agenda.

###### PATTE NEWMAN -

Ms. Newman commented to Lynn Johnson that she was driving through east campus and the Idylwild boulevards look absolutely gorgeous.

1. OUTSTANDING Request to ~~Marc Wullschleger, Urban Development/~~ **Lynn Johnson, Parks & Recreation/Ann Harrell, Public Works** - RE: Requesting information about the proposed bike/ped bridge over North 27<sup>th</sup> Street - (RFI#32-3/15/05). — **1.) SEE RESPONSE FROM WYNN HJERMSTAD, URBAN DEVELOPMENT DEPARTMENT RECEIVED ON RFI#32-3/23/05.** — [Lynn Johnson handed out a memo to Council regarding RFI#32-“Husker Link” Bridge.] Ms. Newman stated regarding the North 27<sup>th</sup> Street bridge is the cost going down now. Lynn Johnson said yes, they’re going to be looking at an alternate design using a pre-engineered structure. One of the significant changes is that the west ramp used to be a looping ramp because of the 5% grade to get down from 26<sup>th</sup> to 27<sup>th</sup> Street. But, some more recent standards allow for an 8% grade which means eliminating the need for a looping ramp. At the end of the month they have another meeting with the group that was interested and they’re going to show them this plan and pursue looking at funding options. Ms. Newman commented there’s consensus that they can do it and want to do it cheaper and think they can for about a \$1 million cheaper. Mr. Johnson said he thinks so, all of the parties that have talked, everybody seems to be in agreement that they can essentially meet the intent of the redevelopment plan and do it cheaper and probably work within existing resources to make it happen. (Copy of Memo on file in the City Council Office.)

2. Request to Steve Hubka, Budget/ ~~Don Herz, Finance~~ - RE: What outstanding bonds is the City of Lincoln currently paying off? -(RFI#33-3/21/05). — **1.) SEE RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#33-04/05/05.** — Ms. Newman stated regarding the outstanding bond information from Don Herz, she would like to have 15 or 20 minutes before their budget hearing or schedule a Pre-Council to discuss this issue. Otherwise, she has about four questions on it. Ms. Newman commented they talk about MIRF, special assessment bonds which is a tool the City doesn't use anymore and maybe this is something they can look at. Ms. Newman asked Council if that's something they're interested in? Council agreed that they would be interested in having a Pre-Council to discuss this issue. Ms. Newman stated okay and this Request For Information (#33) can be removed from the Agenda.

The GAIC Report from Doug Thomas was interesting, one of things mentioned was some sort of website improvements about the visually impaired and she would like Public Works to get involved in it. They talked about pedestrian safety provision & impaired people about 6 or 8 years ago and had some Public Works people there. If the website is putting information out there the concern was some of the visually impaired people don't realize that Public Works is blocking off sidewalks that used to be there and at the time Public Works said there was no means to let people know about it. So, this might be something the Health Department, Health Education, Public Works and IT could get together and maybe come up with something that they could let people know about certain construction projects and things going on.

3. Additions to Requests For Information #30 from Patte Newman & #164 from Annette McRoy to Don Taute, Personnel Director - RE: "M" class employees - (PNRFI#30A & AMRFI#164A - 4/06/05). — NO COMMENTS
4. Additions to Request For Information #32 to Marc Wullschleger, Urban Development - RE: North 27<sup>th</sup> Bridge - (RFI#32A-4/06/05). — [Ms. Newman mentioned this issue already under "Patte Newman-#1".] (See that discussion)

## **ANNETTE McROY -**

Ms. McRoy stated on the Directors' Agenda under "V. Miscellaneous-#6" is an e-mail from Carol Brown with concerns about the litter along the City's bike trail out by Wal-Mart at 27<sup>th</sup> & Superior. Ms. McRoy asked Lynn Johnson if Parks & Recreation pick-up the bike trails? Mr. Johnson replied yes, they're responsible for that area and at this time of year because they're not mowing they would not have any staff out there and that may be the issue. Mr. Johnson commented he received the e-mail, but has not had a chance to read it yet. Ms. McRoy noted there's several pictures attachments. Is there anyway they can inform Wal-Mart to pick-up on their parking lines. Bruce Dart stated they can help with that, he will have staff talk to Wal-Mart about it. Mr. Dart and Mr. Johnson will follow up on this matter.

On a different note, Bruce (Dart) who's in charge of the "No Littering" signs is that Harry Shafer. Mr. Dart said yes.

1. Additions to Requests For Information #30 from Patte Newman & #164 from Annette McRoy to Don Taute, Personnel Director - RE: "M" class employees - (PNRFI#30A & AMRFI#164A - 4/06/05). — NO COMMENTS

## **JON CAMP -**

Mr. Camp stated he has a question on an e-mail from Michael Ahmic that he forwarded on about the debris after traffic accidents. What is the responsibility of the towing company, the City, the Police or the accident victims on the debris that is left afterwards such as broken headlights and that sort of thing. Police Assistant Chief Peschong stated any tow company that is towing a particular vehicle is responsible for collecting the debris off the roadway. He doesn't know what his particular issue is that he's bringing up, but there's this on going debate between the City contract tow company and other private tow wreckers. From his perspective, its if I don't have the City contract I don't have to clean up any debris associated with my particular vehicle that I'm towing because the City has a contract with a private company and they're supposed to clean up all debris. They're supposed to clean up the debris that is associated with the vehicle that they're towing. They try to work through this the best they can and for the most part he thinks it works pretty well, but there's this on going debate that is always taking place. Mr. Camp asked Mr. Peschong if he had any suggestions for Council on long term solutions? Mr. Peschong stated they really try to talk with their officers that are out there

at the accident scenes and they generally make sure the debris is off of the streets before the wreckers leave. They do have some incidences where somebody may have a fender bender or whatever and they choose not to call the Police and maybe some debris is there where the vehicles end up driving off. If they do have a problem associated with that, they will contact Public Works and they usually help them out with it.

## **KEN SVOBODA - NO COMMENTS**

## **TERRY WERNER -**

Mr. Werner stated to Mike Merwick on the Quality of Life Ordinance is polyester furniture on porches included in that ordinance. Mr. Merwick stated they have to go out and look at them, if they're deteriorated or full of rodents they work to get those out. But, there's just not a good definition of what's on porches, so a lot of them have polyester furniture on porches and it's fine. Ms. Newman commented if there are rodents present it is a Health Department problem.

## **V. MISCELLANEOUS**

1. Letters from Mike Marsh, Realty Trust Group - RE: Change of Zone #05004-84th & Old Cheney - 6 acres. — NO COMMENTS
2. Letter & Map from Hub Hall, President, Hall Real Estate, Inc. - RE: Change of Zone #05006. — NO COMMENTS
3. E-Mail from Dee & Doc Mullet - RE: NO to Links!!! - Request that you deny the proposed project, "The Links at Lincoln" as totally unnecessary. — NO COMMENTS
4. Letter from Gerise Herndon, Member, UPCO Board of Directors - RE: Supports UPCO's change of zoning application #05021. — NO COMMENTS
5. Letter Shirley Honnor - RE: The Lake Street Senior Center. — NO COMMENTS

6. E-Mail from Carol Brown - RE: Wal-Mart at 27<sup>th</sup> & Superior. — NO COMMENTS
7. E-Mail from Ginny Wright - RE: JoeCherner-announce] Restaurants, bars gain business under smokefree law. — NO COMMENTS

## **ADDENDUM - (For April 11<sup>th</sup>)**

### **I. MAYOR**

1. NEWS RELEASE - RE: Mayor Presents Facts On Storm Sewer Bond Issue-Voters to decide issue May 3<sup>rd</sup> -(Council received in their Thursday packets on 4/07/05). — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Presents Awards In Public Transportation Coloring Contest -(Council received in their Thursday packets on 4/07/05). — NO COMMENTS
3. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of April 9 through 15, 2005-Schedule subject to change - (See Advisory). — NO COMMENTS
4. NEWS RELEASE - RE: Mayor Seng's Statement On NSAA Decisions. — NO COMMENTS
5. NEWS RELEASE - RE: Pine Lake Road Reconstruction Project To Begin Tuesday. — NO COMMENTS
6. NEWS RELEASE - RE: Open House To Address Upcoming Trunk Sewer Project. — NO COMMENTS

### **II. CITY CLERK**

1. Letter from Lynn Farrell, Lindsey Management Company sent to City Council Office by City Clerk Joan Ross - RE: Request to put their application of Items 05-33, 05R-69, and 05-34 on Pending for one week to 4/18/05-(See Letter). — [This letter & items were discussed earlier under "I. Mayor."] (See that discussion)

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS/CORRESPONDENCE**

##### **JON CAMP**

1. E-Mail from Michael Ahmic to Jon Camp - RE: Clean up of debris on public roads after vehicle accidents -(See E-Mail). — Mr. Camp brought up this e-mail earlier during his comments. (See that discussion)

#### **B. DIRECTORS AND DEPARTMENT HEADS**

##### **BUILDING & SAFETY**

1. Letter from Mel Goddard to Jeff Fredrick, ZAN IT, LLC - RE: It has been brought to my attention that the F.O.E. Star City Aerie #4111 no longer uses the building at 2112 Cornhusker Hwy. — NO COMMENTS

#### **C. MISCELLANEOUS**

1. Letter & Article from Richard L. Schmeling - RE: Proposed Change of Zoning for Near South. — NO COMMENTS
2. E-Mail from George & Cheryl Frederick - RE: Change of Zone #05014. — NO COMMENTS
3. Letter from Jason M. Thiellen, Land Planner, Engineering Design Consultants, L.L.C., - RE: Item #20, 05R-67 – Thompson Creek - Amendment to Use Permit #141A - Conditions of Approval - EDC Job #04-086-025. — NO COMMENTS

### **VI. MEETING ADJOURNED - Approximately at 11:32 a.m.**